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SIX DECADES IN TEXAS

OR

MEMOIRS

OF

FRANCIS RICHARD LUBBOCK

GOVERNOR OF TEXAS IN WAR-TIME, 1861-63

A PERSONAL EXPERIENCE IN BUSINESS, WAR, AND POLITICS

EDITED BY

C. W. RAINES

ACTING STATE LIBRARIAN, AND AUTHOR OF A "BIBLIOGRAPHY OF TEXAS,"
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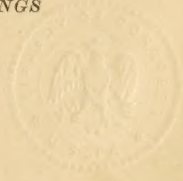
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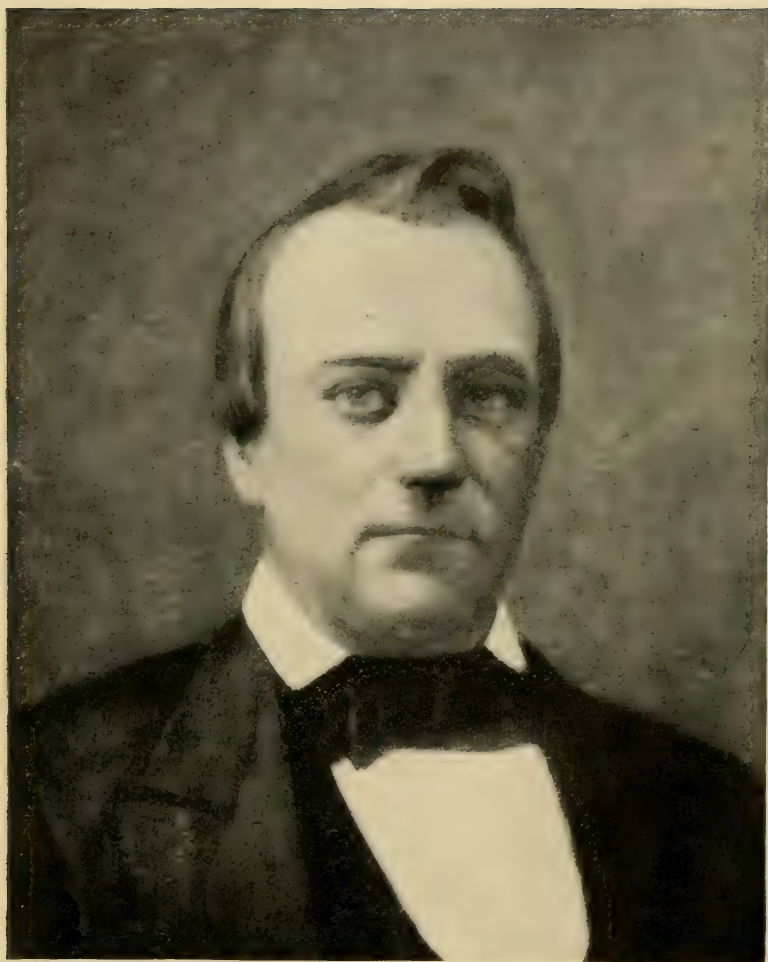
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THIS VOLUME IS DEDICATED TO
THE PEOPLE OF TEXAS,
WHOM I LOVE, AND WHOSE LOVE I HAVE
ENDEAVORED TO MERIT BY
FAITHFUL SERVICE.

F. R. LUBBOCK.



GOVERNOR FRANCIS RICHARD LUBBOCK.

1862.

AUTHOR'S PREFACE.

The man who has protested, from the writing of the first page to the last, that he could not write a book, has writ a book; and if there is anything of profit or pleasure in it for the people of Texas, they must attribute it, first, to my devoted wife, and second, to my able editor. The former tolled me along as a woman knows how to toll a man until she got volumes of manuscript from my memory dotted down by my rapid pen; the latter culled it to fill one volume of medium size.

It does not claim to be a history of Texas, but a personal memoir interspersed with such public events as came into my mind, and it extends over the entire life of the Republic and the Confederacy, coming down in a more desultory way to the present time.

F. R. LUBBOCK.

EDITOR'S PREFACE.

The manuscript of Governor Lubbock's memoirs was in the spring of 1897 placed in my charge to edit. Passing over a large amount of biographical and other interesting matter, I selected that only which in my judgment was most conducive to the object decided upon, viz., to give special prominence to Governor Lubbock's recollections of almost unwritten Texas history. The story of the final struggle of the Confederacy, with matters subsequent thereto, are but subsidiary to this idea.

I must not omit to state that Mrs. Lubbock, feeling a just pride in her distinguished husband's career, has been the soul of the enterprise throughout,—urging and encouraging him to commit to paper the recollections of his eventful life, and giving me invaluable assistance up to the final arrangement and preparation of the work for the press.

To eliminate whatever errors that had crept into the manuscript (prepared principally from memory), I have given it my careful supervision; and I am, therefore, justly chargeable with all inaccuracies apparent in the text as to public events.

As the memoirs touch upon the great epochs of Texas history, the reader will naturally find much of descriptive matter pertaining to war and adventure, with a strong thread of politics permeating the whole. The book makes no pretensions to graces of style; it is simply a plain, unvarnished statement of facts and fancies in sturdy English, with "nothing extenuated nor ought set down in malice."

An intimate acquaintance with Governor Lubbock, acquired during my long sojourn beneath his hospitable roof, enables me to refer with confidence to his present most noteworthy character-

istics,—sprightliness of mind and body, habitual geniality, candor, conscientiousness, and genuine kindliness of heart.

The qualities that made him strong in his public career were quickness of perception and tenacity of purpose, a rare combination, which he made effective by great energy in action.

If all men knew Governor Lubbock as well as I do, they would readily comprehend how self had no place in his ambition, and how he always served his country with a singleness of purpose rarely surpassed. The moral of such a life can not be questioned.

C. W. RAINES.

AUSTIN, *February 22, 1900.*

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THE MEMOIRS

OF

FRANCIS RICHARD LUBBOCK.

CHAPTER ONE.

Early Life in South Carolina—La Fayette's Visit to Beaufort—Training Under Irish Schoolmasters—Removal to Savannah and Death of My Father—Return to Charleston, and Clerk Life there—Nullification and Compromise, 1832-33—Clerking and Cotton Buying in Hamburg.

My bark has a long time breasted the restless sea of life, and now that it is approaching the port I feel that my voyage has not been profitless. While I may have accomplished but little for the general good in proportion to my desires, I have been an active worker, endeavoring to serve my country faithfully. I may even venture to say, that according to my means and ability I have contributed liberally to the comfort and well-being of my fellowmen. I might have done the work more wisely, more as the Judge of all the world would approve, but not more zealously, if I had only put as much thought on the Christian religion as I have recently.

I was born in the town of Beaufort, on the coast of South Carolina, October 16, 1815. My father, Dr. Henry Thomas Willis Lubbock, was the son of Capt. Richard Lubbock. My mother, Susan Ann, was the daughter of Capt. Francis Saltus, all citizens and residents of Beaufort district, South Carolina. Both grandparents were English. My grandfather Saltus was a rich cotton planter. On both sides, maternal and paternal, my family were engaged in marine and mercantile pursuits. Captain Saltus was a shipowner and wharfholder in Charleston, and with his sons carried on an extensive hardware and ship chandlery business in that city. I was quite a favorite of his, and he was so jolly and good to me that I loved him very dearly. He died in

1833, leaving my mother a fine home in Charleston. He came to South Carolina in the last decade of the eighteenth century.

Capt. Richard Lubbock settled in Georgia about the same time. He was an elegant old gentleman, and social in his habits and full of fun and frolic. His death occurred at Hamburg, S. C., I think about 1824. His wife, my grandmother, was Diana Sophie Sandwich, of English descent. She survived my grandfather till the year 1833, bequeathing at her decease a few thousand dollars to my mother's family. The masonic fraternity, of which my grandfather was an honored member, erected to his memory a monument on Shultze's Hill, Hamburg. My mother was a native of South Carolina, but my father was born in Georgia. He finished his literary course at Oxford, England, and then was graduated in medicine at the Medical College of Pennsylvania, at Philadelphia. He practiced his profession a short time in Beaufort and vicinity. During this period, in 1811, my parents were married. A daughter was born to them in 1813, and I was the second child, named Francis Richard, for my two grandfathers. Soon after my birth the family removed to Charleston.

After making Charleston his home my father became interested in steamboating. He commanded the first steamboat, the *Commerce*, that ever made a through trip from Charleston to Augusta. Henry Shultze (the founder of the town of Hamburg, in South Carolina, immediately opposite Augusta, Ga.), and others were copartners in this enterprise.

At the age of three years I was sent to an infant school adjoining our residence, at the foot of Church street, on South Bay, Charleston. I presume it was to keep me out of mischief, as they said I was very naughty, and my mother, in delicate health, had two other children to claim her attention. Aunt Yates, as I called her, was the teacher who exercised her ingenuity to keep my superabundant energy moving along in the right direction. I remember she would get me to thread needles for her accommodation out of school hours. Our fondness for her kept us around, and lulled the restless demons within us into quietude. Our mothers would get a benefit only occasionally of our exuberant spirits and reckless efforts. I remember a special occasion when my mother must have been terribly shocked by the result

of one of my adventures. We were spending Sunday at my grandfather's city residence, several blocks from ours, at the head of his wharves, known as the Saltus wharves. I had a great fondness for boats, and owned a fine miniature schooner which I often sailed here. My mother, observing that I had lugged my boat with me, forbade me to take her out of the house or go near the wharf, as it was Sunday. Wearying of the confinement, I disobeyed, and taking my little beauty, I repaired to the water side and there began sailing her, the plan being to start my boat from one side of the wharf by getting into a yawl and steering her across the dock to another yawl. Then, resetting the sails, I would turn her back to the point of starting. After making several trips, my boat was about to pass the landing place; to prevent this, I jumped hastily into the yawl, which careened as I leaned forward to seize my boat, and I fell overboard. I was sinking for the third time, when a seaman who had just landed from his vessel, observing me, sprang into the yawl, and seizing me by my leather cap (that fitted very close to my head, and was fastened by a strap under my chin), drew me from the water in an unconscious state. He took me in his arms to my grandfather's house, where I was laid down on the floor. It was then discovered whom the stranger had rescued from a watery grave. With much difficulty I was restored to life and consciousness.

It is said that truth is stranger than fiction. The man who saved my life was Capt. William Young, a nephew of my grandfather's. He had just landed one of my grandfather's vessels, which he commanded, and my kinsman had no idea whom he had rescued till he arrived at the house bearing his cousin in his arms, a truant, drowned boy.

For several weeks I was quite sick from the effects of the salt water, and though finally restored to robust health, I was very restless at night, dreaming continually that I was drowning.

Providence seems to have guided me all along the line, giving me this very severe lesson and punishment for disobedience and Sabbath-breaking, one perceptible to a child not yet seven years of age. I have learned since then that a more severe punishment in its results is Sabbath-breaking that gives us pleasure at the time and entirely unattended by outward mishaps for

that hardens us in the evil habit with all its serious consequences.

It was next decided to send me off to a boarding school. I suppose, as I was considered man enough to launch my boat in a harbor of the broad Atlantic, it was a very proper decision on the part of my parents, though I was of such a tender age. I was placed under the tuition of an Irish schoolmaster, Patrick Brett, and boarded with his family at Edgefield. He subsequently removed to Beaufort, taking me with him.

I have sometimes said that all I knew in school books was beaten into me by an Irish schoolmaster. Most certainly I made rapid progress in my studies under his tuition; for he was a most excellent instructor, and a man of fine presence, though a severe master. He believed in flogging, and being a man of strong passions, sometimes appeared cruel. His wife, a lovely woman, was very kind and helpful to the children.

Irritated one day by the loss of his favorite whip, which I was instrumental with some other boys in having destroyed, Brett said after finding out the guilty ones that he would flog us all. But later he promised to let me off if I would buy him another whip like the one destroyed. Though I bought the whip, giving \$1.25 out of my pocket money, I was flogged unmercifully, like the other older participants in the mischief. This flagrant bad faith on the part of the teacher shocked the moral sense of the whole school and caused considerable indignation.

As soon as my father heard of the affair he came to Beaufort, giving Mr. Brett a piece of his mind while in hot temper; not that anybody ever thought of objecting to flogging—that was good for such boys as they sent off to boarding school; but it must be done fairly and squarely. He took me away from this school and placed me with Mrs. Agnew, a first-class lady of a cultured family, to attend Beaufort College. Rev. Mr. Campbell was principal, with authority to flog me when I needed it.

At this school I began Latin, which was continued through my school days; but not an intelligent word of it would linger in my memory. By my experience, however, as a clerk of the court, a “venire,” “habeas corpus,” “amicus curiae,” and so forth, were made familiar to me at that time. But I suppose it served its purpose, trained my mind a little, and kept me out

of mischief while I was at it. I got up a little enthusiasm in my studies at Brett's, there being nothing else to occupy my mind. But at Mrs. Agnew's I sought other sources of activity.

I was not a studious boy, nor was I a cherry-tree George Washington boy either; so becoming disgusted with my books, I determined to go on a pleasure trip. I walked fourteen miles, crossing Port Royal ferry. Arriving at my grandfather's plantation, I said to him that hearing he was ill I came out to see him. He patted me on the head, and complimented me for being a brave and good boy. He was, however, much annoyed, because he was just leaving for his summer residence. He was of course entirely well, and had not been sick. He started with his good grandson, regretting that I would lose a few days from school, the very thing I visited him for. My behavior was very ugly and unjustifiable, and this time I was checked up. He had proceeded but a short distance when Dr. Fuller in his carriage, going to Beaufort, met us. My dear old grandfather, after explaining my goodness in coming to see him, and his dislike to my losing a day from school, requested him to deliver me at Beaufort, which was done. Next morning I reported, and received a sound thrashing for absenting myself without leave. They did not spend sentiment, but thrashed a boy in those days—probably too often. But I sometimes think a great deal more thrashing now would be beneficial in some schools.

In 1824, while I was in Beaufort, about nine years of age, General La Fayette visited the United States. He made the voyage from Charleston to Augusta on my father's elegant steamboat, the *Henry Schultze*. My father himself commanded her on that trip. He was an aid to the Governor of the State, James Hamilton, subsequently a great friend to Texas. On that occasion General La Fayette presented him with a fine gold snuff box, now in the possession of my niece, Adele Lockart Sayers, of Gonzales. In consequence of the steamer's running aground when near the town, she was detained till after night. A procession was formed to receive our distinguished guest. I was in the line, carrying a sperm candle in each hand. That night, at the ball at Mrs. Elliott's, I had the honor of being presented to the illustrious general, and complimented by him for my manliness and patriotism.

A startling accident occurred that evening amidst our pleasure. Captain Agnew, adjutant of the regiment acting as the escort, was riding very rapidly on his spirited horse, with orders concerning the reception. In turning a corner of one of the streets he collided with a heavy gig driven by a boy, and containing two ladies going to the ball. They also were driving rapidly. One of the shafts with a sharp point entered the lower part of the neck of Agnew's horse, and also made a fearful wound in the thigh of the rider. He and his horse were borne off bleeding. Careful nursing and attention for many months finally restored the captain to perfect health. He lived with his mother, the lady with whom I boarded. The horse, too, after a time was all right. He was from that night called *La Fayette*. He was a beautiful bright bay with a black mane and tail, and an elegant saddle animal. After that I enjoyed many a good ride upon his back, for I was allowed the privilege of riding the family horses.

Through all these years Beaufort has been one of the pleasures of memory. At the time of *La Fayette's* visit I fairly effervesced with delightful enthusiasm. It was a holiday for everybody. Our guest was a hero. He came in my father's boat and I took great pride in the *Henry Shultze*. Steamboats were not common things in those days as they are now. My pleasure was toned down soon by the fact that the very next trip after she took *La Fayette* to Augusta, via Beaufort, a fire broke out on the steamer while lying at the Augusta wharf. She had a large quantity of powder on board, so that the fire department were warned not to approach too near. The boat was soon blown up, scattering her cargo and portions of the wreck far and wide. The carpenter, Jim Porter, a free colored man, for whom my father was guardian and with whom I was intimately friendly, carried with him on the boat a fine fowl of the best game blood. This cock was a passenger, and soon became quite as famous in our section as *La Fayette* was illustrious on a wider stage. He was blown high up into the air; the boat went down to her wheelhouse. The bird, on coming down, lighted on one of them, crowed—though nearly featherless—and appeared ready to fight the foe that had so rudely driven from his quarters his cockship. He was cared for as a great hero, and exhibited as the brave

gamecock defying the powder, to the admiration of hundreds of men and boys. Although I never fought them, even when it was fashionable for gentlemen to do so, I always liked game chickens for their great pluck and beauty. It is said that a gamecock is the bravest thing in the world. If a bird ever runs from cold steel he has dunghill in him.

I was always fond of riding horses. My earliest recollection tells me of visiting a menagerie, and while many of the small boys were afraid, I just insisted that I should ride upon the giraffe or camelopard. My father, who was with me, indulged my whim, of course taking care I was not hurt. Afterwards I never was afraid to ride anything.

I vividly remember the first fall I ever had *from* a horse. It occurred in Beaufort, and was the first of many more, though I never was *thrown by* a horse except once. Mrs. Agnew had a very large old cream-colored horse that she drove to her gig; she allowed me to ride him to water, and sometimes for pleasure. Once I fell in with some boy friends, and we concluded to have a race. In making the run, while bearing hard and steadily on the reins, they broke, and over the old horse's rump I went, striking the ground on my head. Luckily we were at the time in very deep sand; so the only harm that came of it was a good hard fall and very dusty clothes. Of course I was chagrined at losing the race and having a fall, but the blame was placed "to the mean, no-account bridle," and not to any fault in my horsemanship. This I, at least, considered unsurpassed by any boy of my age, and my companions also recognized me as a good manager of a horse and a fearless rider even at that time.

As much as I love horses, I do not like dogs. At this period began my antipathy. A short distance from the town a particular friend of my father's, Dr. West, lived. I was spending Sunday with his boys. We, the boys, got through our dinner and were told we could go out and play and return for dessert. When called by the servant-man, we rushed for the house. Up on the piazza an immense dog, without any warning—not even a growl—seized me by the left arm and actually threw me out upon the ground. Upon being picked up I was found to be very badly bitten; one of the main arteries of my arm was severed. The doctor took it up, and I was sent to town as soon

as possible. The dog was immediately dispatched; the theory in those days being that if the dog should ever have hydrophobia in the future the party bitten would go mad.

My wound was considered dangerous by the physicians, and at one time a consultation was held as to the necessity of amputation. My father came and protested; he was a surgeon, and believed if they would persevere my arm could be saved and the danger of blood-poisoning avoided. It was finally cured up and with no bad result, though marks made by the teeth of the dog are still distinct after more than half a century. This was one thing that was not all fun.

Another visit to a boy friend proved serious to all except myself. On this occasion several of us—Sam Lawrence, two Bowles boys, and myself—concluded we would prepare fireworks for the Fourth of July celebration. We took possession of an old family carriage of Mr. Lawrence that had been abandoned to prepare our work. The composition was placed in it, and one of the boys determined to test his preparation on the inside where we were. I protested and begged him to get away with his fire; that he would blow us all up. It flashed upon me that he was void of sense and did not see the danger. I made a desperate plunge to get out, and in doing so struck my head against the rail of the door which, fortunately being rotten, gave way and precipitated me to the ground. At the very moment I escaped from the carriage with a bruised head and a hard fall, all the composition and dry powder within it exploded, burning Lawrence and the Bowles very seriously. One of the latter came very near losing his eyes, and was for months confined to the house. The other was also much injured. It broke up our Fourth of July celebration that time. Thus quickness always served me.

I had a royal time in my school days in the good old town of Beaufort, where so many of the wisest and best people of South Carolina lived, and so many friends of my childhood. Among them was dear cousin Ann Bythewood, afterwards Mrs. Oswald. She was cousin only in affection. Nearly every Sunday, and frequently Saturdays, I would spend the day with her family. They bestowed every care upon me, and were as kind and con-

siderate of my little wants and comforts as my mother could have been.

It almost appears as if I have not been telling about school life, but about a pleasure sojourn among friends. Well, school did not weigh heavily upon me, but even now, when I am doing the responsible work of a man, I have time for social pleasure; and I can spend an evening out and be at my desk next morning ready for good work. The truth is, I think it helps a man to take recreation; far more does it help a boy, and maybe I did my school work about as well as such a bundle of rollicking activity would have done it under any circumstances.

Among the various things I experienced at Beaufort were the chills and fever, contracted in Edgefield district. This was considered as a matter of course in one's life in some sections; but I think it was on this account that I was taken home to be put under treatment.

Here I was placed in the South Carolina Society School. This institution was owned and managed by a very old society composed of intelligent and prominent citizens, and was attended only by members' children. While I was there Mr. Monk, an Irish gentleman, was my teacher. He was a first-class educator, and although like all Irish teachers (at least that's the way it seemed to me), somewhat arbitrary, was on the whole an excellent man, and I esteemed him very highly. For a time my brother Tom attended this school with me. He and I were considered wild, mischievous boys; not vicious, but just full of fun and devilment. We would play pranks—trip folks up, tie cats to door knockers, tin pans to dogs' tails, remove sign boards, fight schoolmasters, and such little pastimes.

My overflowing spirits found vent frequently in the company of girls. My sister Sarah, two years older than myself, attended dancing school, girls' parties, and other amusements for the young. She was a lovely and beautiful girl. I was very fond of her, and she was fond of her eldest brother and proud of him as a chaperon. She took me to the tailor and had me dressed up in swallow-tail coat and brass buttons, pumps and stock, like a little man, preparatory to going to dancing lessons. This gave me a fondness for the girls and that kind of pleasure.

My sister became a beautiful young woman, and was recog-

nized as a great belle. She was married quite young to Capt. James Curry, of Savannah, Ga., just after my father's death. They resided in Charleston. Captain Curry died soon after the birth of their second son, my sister following him very soon, it was said, of a broken heart. This son, Walter Curry, made a splendid young man. As I grieved for his mother, so I did for his early death, which I will speak of at the proper place.

I attended a Sunday school as well as a dancing school and a day school. My religious training was not overlooked. My mother was a Baptist, my father an Episcopalian. In such cases the mother usually is authority, and she sent me to the Baptist church. The Rev. Richard Furman, a grand old man, was the pastor, and subsequently the Rev. Basil Manly, a very popular minister. I was a regular Sunday school boy and enjoyed it with my sister and my sweetheart; for I had a sweetheart from my infancy. The truth is, the school time of my life was full of pleasure as well as profit. My family were in good circumstances and my father a good provider, and we enjoyed it.

And now comes my last school year, just before I entered my teens. It was in Savannah, Ga., where my father moved his family early in 1828. Again my teacher was a native of the Emerald Isle. It would seem that everything I was to learn was to be from the Irish. I don't know whether my father thought they were the best educated or the most accomplished floggers. They certainly had the combination. Walsh was a good teacher and a splendid specimen of manhood. I suppose about that time some of their best men, being dissatisfied with affairs in their own country, were coming to our Republic. I wonder if my fondness for the Irish was acquired by early associations. Maybe so, for I never cherished any ill-feeling, and I do like the impulsive, open-hearted character of that people. My sympathies have always been with them, and I am for home rule in Ireland as well as in America.

My father's move to Savannah I suppose was influenced by his losses on his steamboats. There was no insurance on the Henry Shultze, and the Macon, which they built afterward in Philadelphia, was a very costly boat and expensive to run. He, with the hope of recovering from his pecuniary disaster, rented the City Hotel, the principal one of the place at that time.

Although my mother had her suite of rooms and lived at ease with the children apart from the bustle of the hotel, my father kept me busy out of school hours assisting him in his accounts and other things I could attend to intelligently. Here was the beginning of my business education, so that when I was left an orphan boy at the head of a helpless family at the end of a year I felt considerable confidence in my business capacity.

My father died of country fever while he was preparing for a trip to England to look after an estate to which he was entitled. He was just thirty-seven years old.

Happily he left us with a large and valuable home in Charleston, near the Battery, to which we at once returned, with a small income and a large family, two daughters and five sons—Sarah Sophia, Ann Bythewood, Francis Richard, Thomas Saltus, William Martin, Henry Shultze, and John Bell.

I was old beyond my years in worldly experiences, and realized at once the difference between Frank Lubbock with a father and Frank Lubbock without a father.

Though never studious, I was called smart, active, and industrious. I could keep accounts and had a very general idea of business; so I decided with a quick, firm resolve to attend school no more and at once to seek work. In this way I could relieve my mother of supporting me and possibly aid her.

An opportunity offered to enter the hardware establishment of Mr. James H. Merritt, an Englishman of very austere mien, and with very arbitrary business rules. My grandfather Saltus protested against my going to him, saying, "With your positive and independent manner and quick temper, together with his arbitrary conduct and real meanness to his employees, for I know him, you will not remain with him a month, and it will have the effect of injuring you. Do not go there; wait awhile." But I was not one of the waiting kind. No other opening being in sight, I accepted the place, beginning work at \$12.50 per month—not much, to be sure; but it helped to move along.

As my grandfather had told me, it was rough sailing from the start. I found my employer unreasonably exacting, very severe, and at times cruel to the negroes in his service. He would lecture me, and then, when I would stand no more, he would compliment me and raise my salary. To show how exacting he was

at times, should I, as I did sometimes, dress up at dinner, so I could go directly from the store in the evening to one of my engagements (I belonged to several organizations, social, military, and political), just so sure would he have something special and mean for me to do, such as polishing up rusty saws, knives, and carpenters' tools. I learned, however, to manage this matter. I took care, when I desired to leave early, to wear my store clothes, and to appear entirely indifferent as to the time of quitting work.

However, I had said to my grandfather and others in the beginning, "I will stick," and "stick" I did. I remained in this employment three years, instead of one month, as predicted.

When I took the position with Merritt, a very dear friend of mine, Mr. David L. Adams, a large cotton merchant, cautioned me about the wild boys with whom I would come in contact, counseling me to avoid card-playing, ardent spirits, and tobacco, saying, "I have tried all of these; they are useless, and injure one mentally and bodily." He did not caution me against the girls. I was very social and visited constantly, being very fond of them. In most families there was a sideboard in the house, on which liquors, wines, and cordials were offered the guests. I persistently refused to indulge, and up to the time of my landing upon Texas soil I never partook of ardent spirits, and up to this good hour I have never had a piece of tobacco or cigar in my mouth.

I have always been thankful for friendly advice, and one of the causes of my success in life has been that I have so often followed it. I tried to be careful of my conduct. I lived with my mother; she was always in delicate health, and in addition was so near-sighted that she could not recognize her own children beyond a few feet. Thus there was the more responsibility resting upon me, and the greater reason for circumspection.

But, impulsive and excitable, sometimes I had on too much steam and ran off the track. Just about the beginning of my clerk life I was involved in a foolish affair that was kept quiet at the time. In the face of my own hasty action, Providence seemed to have spared us from what came near being a sad occurrence to many. My brother Tom was attending the South Carolina Society School. W. D. Porter was his teacher, an ad-

mirable young man, afterward rising to considerable distinction in the State. He concluded it was necessary to chastise Tom. Tom was very stout for his age, about twelve years, and one of the most stubbornly brave and plucky boys I ever knew. Porter worsted him on the occasion spoken of after a hard tussle. Tom refused to return to the school, and after a recital of his wrongs, we determined to whip Porter.

The latter frequently walked at night upon the Battery. He lived, as we did, in the vicinity of this lovely spot. We took the opportunity when no one was near, and made the attack. We were fierce, and while he was very strong, we punished him quite severely. In the conflict we bore him back to the rail of the Battery wall, the water of the Ocean lashing the wall and the spray beating over as in a gale. He was about to topple over into the sea, when, with our strength exerted to the utmost, we drew him back.

Somewhat alarmed, we left him about where we found him, a badly used up pedagogue, with his fine clothing nearly ruined. Tom, of course, never returned to the school, and the affair was at an end and hushed up. Our families were intimate friends, and some family connection existed. Two boys learned a better lesson the time they whipped a schoolmaster than they ever learned when the schoolmaster whipped them.

I remember as it were yesterday an affair between Mr. Walsh of Savannah and Tom Lubbock. He punished with his ruler very freely on the hands, sometimes so severely that the boy could scarce use them for days. Tom, called up to receive punishment in that way, determined to make a passive resistance. He walked up with his hands in his pockets, and positively refused to take them out, whereupon Mr. Walsh undertook to take them out himself. Tom's pants were of good material, his pockets deep, his muscle fine, his courage and endurance unsurpassed. He was tossed almost to the ceiling, buffeted about, and severely handled, all to no purpose. The strong man puffed, while the school, indorsing in their hearts the bold protest made against the common enemy, watched with admiration the boy's pluck, and were elated when he came off conqueror, for his hands were never drawn from his pockets. After this the ruler was

not so frequently in demand. It may be that a schoolmaster learned something on this occasion.

The Nullification excitement arose very high in South Carolina during the year 1832. General Scott came down as a pacificator, and succeeded admirably in that role. But the influence of Virginia really saved the Union at this time. Grand old Virginia exercised a more potent influence in that respect than Scott or even Clay. South Carolina voluntarily rescinded her Ordinance of Nullification, and the Civil War was staved off nearly three decades.

South Carolina in November, 1832, passed her famous Nullification Ordinance, making null and void within her limits the oppressive Federal law of 1828.¹ As President Jackson declared by his proclamation his intention to execute the law at Charleston at all hazards, and sent General Scott down to look after the forts in Charleston harbor, war appeared imminent. But Virginia came forward as a peacemaker. Her Legislature, late in January, 1833, passed resolutions recommending that South Carolina repeal her Nullification Ordinance and that Congress mitigate the offensive tariff law, and sent as a peace commissioner Hon. Ben Watkins Leigh to Charleston. Mr. Leigh did his part well in counseling moderation and mutual concession. Congress early in March passed Mr. Clay's compromise bill lowering the high tariff, and South Carolina a week or two later repealed the Ordinance of Nullification. That there was not a collision of forces was not due to any lack of bluster on the part of Jackson, but rather to the moderation of General Scott, to the patriotism of the Virginia commissioner, Leigh, and to the conciliatory policy of Henry Clay.

Once during the great political struggle between the Union men and Nullifiers the two parties were out in procession at night. In passing each other something of a collision occurred. Mr. James Adger, of the Union party, was struck. He was a very elegant gentleman, a large hardware merchant, and next door to Mr. Merritt. My employer was called upon about it, and an attempt made by some parties to convict me of the act. Circumstances sometimes combine to hold a boy up to unjust criticism, and even condemnation, when he is innocent of wrong-

doing, as I was in this instance. I was honorably exculpated, and retained the confidence of my employer and friends.

This year, 1832, was a period of great political excitement. I took eager interest in the issues pending, attended all the political gatherings, and listened to speeches by many of the distinguished men of South Carolina then engaged in the great State's rights struggle. At one time or another during my Charleston life, I heard Hayne, McDuffie, Turnbull, Hamilton, Pinckney, and Calhoun speak.

There was a Young Men's State's Rights Association, formed of young men from eighteen to twenty-one years. I was only seventeen, and I am proud to say that the constitution was changed that I might be received as a member, and I was immediately made secretary of the organization. That was the period that fixed my political belief and made of me a State's Rights Democrat, from which faith I have never wavered to this good day. I was also a sergeant in an artillery company. I had previously had some military aspirations, and received through General Hamilton, one of my father's strong friends, an appointment to a cadetship at West Point. But on due reflection and consultation with the family, I felt constrained to decline the honor. What influence on my subsequent career the acceptance of this appointment might have had I can not now conjecture. It is certain, however, from my principles, that I would have sided with my native State in any conflict with the Federal Government.

My clerk life was one of great labor and activity, and each day after my duties were performed at the store, I was kept busy with my military company, political organization, and social duties. My afternoon holidays were few and far between. Then I had a horse or a boat. My sweetheart had a share of my attention. As she lived a long way from my home, and I had been on my feet all day, I rigged up a novel mode of transportation. I could not afford a riding-horse, and, sorrowful to think of, there were no street cars and no bicycles. What "a love of a thing," to use a lady's expression, is a bicycle. I almost feel like trying one now. Then what a halo of glory it would have shed around my boy life in the city, with my girl more than a mile away! But love laughs at difficulties, and the fellow that swam

the Hellespont would be no greater hero than I if I had some great poet to make rhymes about how Francis Richard surmounted obstacles to get a smile from pretty brown eyes. But I had no poet, and I will just tell a plain, unvarnished story—I rode a mule.

By chance I got this mule, a small, unbroken one, for a very little money. At first it was pretty nearly equal to working my passage on a canal boat, for he was a contrary little rascal. Soon, however, with the aid of a small club, I taught him to turn a street corner. If desiring to go to the left, I would give him a good rap on the right jaw, and so if I wished to turn to the right, I would give him a reminder on the left. Nothing would have induced me to ride him through the streets in daylight. But this was before the time of electricity or even gas, and I could pass unnoticed, avoiding the stare and perhaps the jests of my friends at being so grotesquely equipped for courting. In daylight when I rode horseback, though I could seldom afford the luxury, I took good care to procure a spirited lively animal. In returning from an afternoon ride on the line of the South Carolina Railroad, when within a few miles of the city the Charleston train came steaming along and was about to pass me, I concluded I could keep along with it and probably outrun it. After keeping well up for a time my saddle turned, taking me with it. Fortunately, the girths were good and strong. I felt that my safety depended on my holding on, which I did to the very long mane of my horse. It appeared that at every jump I would be struck by the horse's hoofs. I escaped that danger, however, and finally succeeded in again getting my saddle and self on his back without sustaining any injury. I was greatly complimented on my expert horsemanship. This was the first railroad I ever saw, and if it was not the first built, it was at that time the longest line in the United States. It might appear to any boy at this day very foolish to attempt to outrun a steam engine, but at that time I was not far off when I thought a good saddle horse with a dashing rider could outrun an iron horse. At all events I knew more about steam than the solons of Congress did about telegraphy, when they made sport of Morse's first project on that line.

While clerking with Merritt, my uncle, Capt. Richard Lub-

bock, came into port at Charleston with his brig laden with a cargo of salt from Turk's Island. When ready to sail he invited me to visit him and go out with him in his ship over the bar. I accepted his invitation, and was on board by daylight. After a cordial greeting we breakfasted, and then we sped out over the bar. Once in the open sea, I bid a final farewell to my uncle, who died soon afterwards from hardship and exposure. I took passage back on the pilot boat, which on account of business with other ships did not make the harbor until about night. My long-delayed return excited some uneasiness with my mother and employer, as I had gone off without notifying anyone of my intentions, expecting to get back early in the morning.

On one of those glorious afternoon holidays several of us boys concluded to hire a boat and take a grand sail over to Sullivan's Island. The owners of the boat rigged her, hoisted her sails, and started us off. One of the party, taking the helm, assumed command.

For awhile everything was calm, and we sailed along enjoying our voyage immensely. After getting out some four or five miles and nearing the island, the weather became squally. The captain and the crew lost their heads and made for the land as direct as possible. Just before reaching the shore our boat capsized and lay bottom upward. Luckily we were close to the shell beach, and the entire party reached the island in safety, but looking like drowned rats.

We then took a steamer back to the city and notified the owner of the boat where we parted company with her. We had, of course, to pay damages for him to get her back into port, and count our ruined clothing in the cost, so that our sail was a somewhat expensive affair for boys' purses. We unanimously resolved that when boys launch a boat in big waters, if they would not come to grief they must have an old tar at the helm.

While I was a good worker and very attentive to business and recognized as entirely reliable (for had I been otherwise I never could have remained with my exacting employer), I had my fun and a jolly good time all the same. I started out in life to do that.

I had enjoyment with the girls, pleasure with horses, excitement with steam cars, jolly times with the boats, glory with

the military, and unbounded enthusiasm with public meetings and politics, and all this in the three years of the meanest drudgery of my life. Drudgery it was, but in it I made a reputation that gave me my future business openings; drudgery it was, but it was an education in business methods that served me well in all my after years.

Upon leaving Mr. Merritt, on the very day, at an increased salary, I entered into service with a West India commission house. My cousin, F. C. Black, the proprietor, handled large cargoes of sugar, coffee, cigars, and other tropical produce.

After a short time of service with Mr. Black, I was offered a more eligible position in Hamburg, S. C. This I accepted, moving to that place in 1832, going into the house of Tully F. & H. W. Sullivan, large dealers in general merchandise, with cotton warehouse attached. I was placed in charge of the warehouse. This town was next in importance to Charleston as a cotton market.

My friend Adams, heretofore spoken of, was a large buyer, and stored with us. He gave me the authority to buy cotton for him, and I was allowed to do so by the firm. This gave me a little income beyond my salary. My commission was fifty cents per bale. The cotton was brought in on wagons. The buyers would meet the teamsters, take samples of their cotton, sit down on the store steps or under a tree, make offers, and trade.

About the very first day that I tackled a teamster, being new in the business and fearful of my inexperience, I held the samples too long to suit an impatient young Irish buyer named Rooney. He became rather offensive, twitting me as to my slowness and greenness. Finally he attempted to take the samples out of my hands. In the scuffle that ensued I came off victorious, and outsiders exhibited an increased respect for one who never failed to defend his rights when invaded.

I had many friends in Hamburg and was received very cordially in the town. My name was known and highly regarded, on account of my grandfather Lubbock's long residence there.

I spent much of my leisure with my friend, Mr. Adams, at his country residence. I had also a dear friend in Miss Caroline Hammond, the sister of Governor Hammond of South Carolina; they resided in Edgefield also. My grandmother Lubbock,

after my grandfather's death, had removed over to Augusta, and I had other relatives near by in Georgia. My employers were kind, considerate, and liberal, so that I lived a life of happiness in Hamburg, never dreaming of a change.

CHAPTER TWO.

Business in New Orleans—The firm of Ketchum & Lubbock, Druggists—Marriage with a Creole Girl in the Crescent City—Louisiana Sugar Planters and Government Protection—My Wife and I on a Visit to My Mother in July, 1835—Incidents of Our Return Home—Business Reverses and Recuperation—My Brother Tom a Volunteer in the Texas War—Visit to Texas in 1836—Tom's Story of Adventure—Favorable Impression of Texas and the Texans.

But in the very next year, 1834, Mr. Willis Holmes, who had gone from Hamburg to New Orleans and engaged in the cotton brokerage there, returned for the summer. I had a particular friend and boon companion, Charles T. Ketchum. His son, Dr. Ketchum, also a friend of mine, resides now at Navasota, Texas. Mr. Holmes was on intimate terms with the Ketchum family. Charles was in the drug business with a mutual friend, Dr. Millican. He had a large experience for a young man, and was considered a first-class druggist. Mr. Holmes talked to us very freely from time to time during his stay, making us understand what an elegant city New Orleans was, and how easy it was to make money there with a small capital. He particularly recommended to Ketchum the drug business as being immensely profitable. After giving the subject due consideration, we determined to go to New Orleans early in the fall.

The next question was means. I had saved up a few hundred dollars; so had Ketchum. I was only eighteen years of age; he also eighteen, but a few months younger than I. We had both been at work for ourselves for years, and felt that we were men and fully competent for business. I had no idea of the drug business, but I could learn, and I could keep the books and sell goods, while Ketchum would specially attend the prescription department, which would be the money coining part of the concern.

I wrote to my relative and guardian, Mr. Francis C. Black, of Charleston, opening up the whole business to him. I said to him, "Can you give me the funds, some two thousand dollars, that you have of mine? Will you risk me? If I succeed, all will be well; if I fail, I will never call on you for another cent."

He answered, without any hesitation, "The money is at your disposal." That gratified me as much as the confidence of the Texas people, when they trusted me with greater sums years afterwards.

So prompt were we, that we obtained letters from the drug men of Augusta and Hamburg, and from friends, indorsing us as proper young men, stating how much money we could pay down and the amount of stock we wished to purchase. In a few days orders were sent to Philadelphia and the goods directed to be shipped to New Orleans, so that they would arrive about the time we would be there to receive them.

All things being arranged, Ketchum and I left Hamburg in time to reach the Crescent City about the first day of October, 1834.

I was eager to pursue my fortune in the Great West. I was regretful, it is true, at leaving them, but neither a pleasant situation, nor friends, nor home, nor mother, nor sweetheart, could hold me back from the splendid success we anticipated.

As in Charleston, so in Hamburg I found a girl that I supposed I loved desperately. The correspondence between my old sweetheart and myself had grown cold and colder, until it finally ceased, and I spent many of my leisure hours in the delightful society of my new one, horseback riding, attending church, rambling through the woods gathering sweet shrubs and yellow jasmynes that grew luxuriantly there, and in the meantime building air castles. When I was about to leave Hamburg I made an appeal that she would wait for me awhile, that I would return and claim her. She said, "Francis, I know you better than you know yourself. You will soon find a girl in New Orleans that you will love better than you do me, and you will marry there." We parted good friends. The sequel will show how it turned out.

October, 1834, found us (Ketchum and myself) in New Orleans, at the City Hotel, at that time the leading inn of the place.

We had letters of introduction to many parties. Some of them we delivered promptly, hoping to get information as to business matters, such as rents and eligible locations. I had letters to Mr. John B. Leefe, who knew me as a boy, our fam-

ilies in Charleston being well acquainted. He had been in New Orleans several years, and was a prominent cotton broker there. He had married into a well-known French Creole family. In a few hours after our arrival I was invited to his house, introduced to his wife, his mother-in-law, Mrs. Baron, his wife's sister, Miss Adele Baron, and to other members of his wife's family.

We lost but little time in looking about for a location. Matthew Morgan, a large real estate owner, was erecting on Camp Street, a fine central location, several granite-front, three-story houses. We soon determined to take one of them, No. 37 Camp Street. The rent was \$1200 per annum. It appeared high to us, but we concluded we had better start on a good street and in a handsome house, and reduce our rent by subletting a portion for offices. We soon had our establishment fitted up nicely, and the firm of Ketchum & Lubbock, having received their goods, erected their sign, unfurled their banner to the breeze, and were recognized as men of affairs.

Our business was good from the very beginning and increased rapidly. We very soon became ambitious to extend our trade, finding many opportunities to sell at wholesale to country merchants from Louisiana and Mississippi. Such sales were invariably made on a credit. Our standing in New York and Philadelphia being good, we ordered liberally to meet this increased demand; hence, for our limited capital, we were doing too much credit. In a very short time we also bought largely of castor oil in barrels, brought down the Mississippi, and shipped to Philadelphia for refining. Upon several shipments we lost very heavily, on account of leakage and depressed market. It was worth eighty to one hundred dollars per barrel.

In addition to this, my relative and friend, Mr. Black, of Charleston, having offered to advance on bacon and lard for his West India house, we were induced to make frequent shipments, and sometimes of sugar and molasses in addition. This was a departure from our regular line of trade, and, as is usually the case, proved unremunerative.

We were economical in our store. Ketchum attended strictly to the sale of medicines, putting up all prescriptions. I attended strictly to the books and accounts, selling articles only by the

package, and oil and paints as usually kept in such establishments. We were active, industrious, and attentive to business, and we believed that in the main we were doing well, and that our gains would far exceed our losses.

I was in Mr. Leefe's family quite frequently. His wife was amiable. Her sister was there almost daily, the residence of her mother being in the vicinity. They all spoke French. I was anxious to acquire the language, and as a favor to me Mr. Leefe took me to board with them. My evenings were spent at home, and if Miss Adele failed to be there, I soon began going over to her mother's. She was very affable, a fine musician, having a beautiful voice, though her songs were in French, with the exception of one or two English ditties. The very fact that she spoke little and poor English made her more interesting to me. As my girl friend had said to me on leaving Hamburg, I was soon very desperately in love with the Creole girl. I taught her English; she could not teach me French. I made a favorable impression, and on the fifth day of February, 1835, with the consent and approval of the entire family, was married to Miss Adele Baron. Her age was sixteen years and a few months, and mine a few months less than twenty.

My wife's family were all Catholics. When we waited upon the priest for arrangements to have the bans published in the church, he questioned me as to my faith and certificates of baptism. I told him my father was brought up in the Church of England and my mother was a Baptist, hence it was my opinion that I had never been baptized. He exclaimed, "What! Then you are a heathen! I can not publish the bans or marry you until you are baptized." "Go on with the christening then," said I; "the time is fixed for marrying, and marry we must." So I was immediately christened. My sister Annie thinks I ought to have known, as she was told that we were baptized in infancy.

In a few days after our marriage we located in a pleasant house on Carondelet Street, near our place of business. Mrs. Baron, with her two sons, resided with us, and we were happy and lived well without being extravagant. I became very fond of French cooking and their style of housekeeping.

My mother-in-law and myself were always good friends, and

since my experience in that direction I have always had a respect for a man that has sense enough to love his mother-in-law, and impress her with the fact that he is entitled to her special care and attention.

Our life was one of active, energetic business, together with much pleasure. My wife's relations were very social and fond of gayety, and most of my leisure time was passed with them. Her father, N. A. Baron, Jr., was a prominent cotton and sugar dealer of New Orleans, when he died of cholera, in 1832. Her mother was Laura Bringier, daughter of Dorado Bringier, one of the earliest cotton planters and afterwards one of the largest sugar growers in Louisiana. He came there from the San Domingo troubles late in the last century. Her uncle, Don Louis Bringier, was at that time the surveyor-general of the State of Louisiana; her widowed aunts, Tureaud, Colomb, and Bringier, lived on large sugar plantations on the river, not far from the city. To them we made frequent visits, which were enjoyed immensely.

While it may be said that some of the sugar planters of Louisiana were uncultured men, as a class they were well educated and elegant gentlemen. They were liberal and hospitable at the time I speak of, and up to the war between the States they were the most luxurious livers I have ever known on either side of the Atlantic. They had fine plantations, good houses, well-kept grounds, excellent horses, well-trained servants, and tables laden with the best of everything that the New Orleans market or the country afforded, excellent beef and mutton, game of every kind, fish, terrapin, tropical and other fruits, elegant sweetmeats, wines of every vintage, from table claret, following along to Burgundy and Champagne, old Cognac bringing up the rear, with cordials of every description, especially Maraschino and Curacoa.

These planters received government protection, and at that time they generally advocated the principles of the Native American party, which was very similar to what was in after years called the Know-nothing party, and composed principally of old-time Whigs and high tariff protection men. Though while I was in New Orleans I was strictly business, and, not being of age, never voted, I took great interest in political mat-



MY BROTHERS AND SISTERS.

Thomas S. Lubbock.
Sarah S. Curry.
Wm. M. Lubbock

Henry S. Lubbock.
Anna B. Lockart.
John B. Lubbock.

ters, and fought this party on all occasions, particularly my wife's kin, who were more or less interested in sugar planting and wanted protection, advocating legislation, as I told them, for the benefit of a few at the expense of the many. I am to-day still fighting on the same line, opposed to all protection and class legislation.

In the month of May, 1835, I received intelligence that my mother was ill. For a long time in feeble health, she was failing more rapidly now. Fearing the worst for her, I immediately commenced preparation for the trip, and about the last of May left New Orleans on a sailing vessel for Charleston, that being considered the best way at that time to make the journey. In consequence of adverse winds and a very heavy storm, we had quite a long and disagreeable passage, arriving, however, entirely well, about the middle of June.

The great fire that visited Charleston was at that time still burning, and I can never forget the night we landed, for the entire center of the city seemed wrapped in flames.

We found my mother very feeble. My eldest sister, her husband, Captain Curry, a most excellent man and good son to our mother, with my four brothers and sister Annie were with her, constituting a happy household, but with a cloud overhanging them, the probable early departure of our devoted mother.

From the moment my wife entered the house they all appeared delighted with her, and she grew day by day upon my mother's heart by her gentleness and tender care for her. As for me, while I could but grieve over the occasion of my visit, I was proud to see how they all admired my young Creole wife, and I was happy to know that, at a far off distance from home and only nineteen years of age, I had been fortunate enough to select a companion, a perfect stranger to my people, whom they could love as a daughter and sister.

My mother's life closed on the morning of the 4th of July, 1835, her children around her, at her residence on South Battery, Charleston, S. C., just as the guns commenced booming in celebration of the day. My sister, Mrs. Curry, was afterwards head of the household.

It has always been a gratification to me that, immersed as I was in business, and happy as I was at home with my young

wife, that I acted so promptly and made the difficult journey that I might be with my mother to render aid and comfort to her and the family.

My brother Tom was at home, having but recently returned from New York under peculiar circumstances, which I will relate, for the reason that the return probably changed his entire life, and under Providence directed mine.

He had selected the engineer's trade, the building of steam engines having made quite an impression on him. My brother-in-law, who was largely interested in the steamboat interest, selected the Allair Iron Works, of New York, the largest establishment of the kind then in the United States. Tom was apprenticed to them by Captain Curry. He appeared pleased for a time, and was getting along well.

To the amazement of the family, he suddenly appeared at home. This explanation followed: He was called while at work on a boiler to go immediately to the postoffice. He had on his working suit, very black and dirty, and consumed a little while getting ready. The foreman called him and ordered him to go without changing his clothes. He refused positively to go in his condition, giving as a reason that he had to pass some kinfolks and others of his acquaintance, and he did not intend appearing as a chimney-sweep. "I left, here I am, and there is a mighty good engineer spoiled." He was remonstrated with, told he was an apprentice, and that there would be trouble. He persisted, and finally Captain Curry succeeded in compromising with the company.

After much talk with Tom, he said, "Let me go to New Orleans with you; I will get into something there; the folks will not be bothered with me here. I can take care of myself if you will give me a chance." So it was agreed, and he accompanied me to New Orleans.

We had a hard trip getting back; took the South Carolina Railroad to Hamburg, stopping over to see my friends. I found my former sweetheart married to a cousin of mine and very happy. She protested that she did not marry until after she heard of my marriage, which she had predicted. They all treated me very handsomely, and were delighted with my wife.

From Hamburg we staged it to Montgomery, Ala., a long and

wearisome trip. We had a crowded coach all the way, and it was very hot weather.

Quite an amusing incident occurred at Columbus, Ga. We were well entertained, and the old landlady came into our room after dinner, entering into friendly conversation with us. She was quite inquisitive—What name? Where from? Where going? My wife replied, "We are going to New Orleans." "Why, my dear children, ain't you feared to go thar? The yellow fever is bad; killing off everybody." My wife said, "Oh, no; we are not afraid. I am a Creole, and as for my husband, he is from Charleston, and a Charlestonian never has yellow fever in New Orleans." "Why, you children married? I though you was brother and sister. Why, look here, you a Creole and been to my table? If I had knowed you had nigger blood you couldn't have set at my table. But you don't look like you had any nigger blood in you." My wife was a blonde, with gray eyes and light brown hair, looking like her father, who was a Parisian. We of course explained to the old lady the meaning of Creole as used in Louisiana and eased her mind as to allowing nigger blood at her table.

As more intelligent people than our landlady do not understand it, I will explain the word. Creole means a native, so that children born of French parents in Louisiana are designated as French Creoles; those born of American parents as American Creoles; of negroes, as negro Creoles. Chickens, eggs, and such things are called Creole chickens, and so on, and these are preferred. This is the way it is used also in the West Indies.

Between Columbus and Montgomery our stage was upset, wounding several passengers. My wrist was badly sprained. My wife was seriously injured. On arriving at Montgomery I had to call in medical aid to my wife, and we were delayed for awhile. To this occurrence was attributed her lifelong ill health, as she was hurt severely at a time the most critical for a woman. We left in a few days on a boat to Mobile, thence to New Orleans, arriving in September.

The few months during our absence made some changes in our business, and by the next spring things became serious. We had a large amount out in Mississippi and Louisiana; collections were poor; times were becoming very stringent; '36 was a year

of financial disaster. We had done more business than our capital justified, and in the Black case we had gone outside of our business. Some of our creditors were pressing. So after advising with friends, we determined to surrender our establishment and assets for the benefit of our creditors. We were honorable in giving up everything. I made no claim for money of Mrs. Lubbock's used in the concern, which in Louisiana at that day was a preferred claim. I reserved nothing but my horse, as I would then be living a long distance from the business center; my household furniture, not very expensive, I also retained.

In a few days after giving up the store to the assignee I accepted a place with the largest dealers in watches, jewelry, silverware, and firearms in the city—Whittimore, Blair & Co.—with a salary of two thousand dollars per annum.

Soon after our return from South Carolina I had succeeded in getting a good position for my brother Tom in the cotton business with Mr. Holmes. Then came the circumstance that changed the course of our lives. Just about this time, the fall of 1835, much was being said about Texas. A call was made for a meeting to extend aid to Texas, then invaded by the Mexicans. Two friends of mine, R. C. Morris and William G. Cooke, were engineering the meeting. The morning after the meeting Tom informed me that he was the first to volunteer, and he wished me to assist him off. I was sadly disappointed. He had a good place. He was so young to go on such an expedition without a particular friend or counselor. Though well up in all manly sports, quite an athlete, very strong and muscular, and full of fire and determination, he was only seventeen years of age. But as he was fixed in his purpose, I fell into his views, fitted him out, and bade him godspeed, knowing that our folks at home in South Carolina would censure me for submitting to the arrangement.

Thus he left New Orleans with his company, known as the "New Orleans Grays," the first volunteer company to arrive in Texas from abroad. They were in time to volunteer in the advance upon and storming of Bexar.

In the meantime the Consultation met at San Felipe in October, elected Sam Houston General-in-Chief of the Texan army,

and created a Provisional Government, with Henry Smith at the head. Dissensions having arisen in the government, a Convention was called to meet at Washington, with plenary powers. Independence was declared on March 2, 1836, a Constitution adopted, and a government ad interim established, with David G. Burnet as President. Meantime the Alamo had fallen and Goliad soon followed; but Houston's victory at San Jacinto on April 21st practically decided the independence of Texas. President Burnet, then upon the barren island of Galveston, visited Houston's camp to enter into negotiations with the captured Mexican dictator, Antonio Lopez de Santa Anna.

While Tom was going through his rough campaign in Texas on the flood-tide of success, I was struggling with financial difficulties on the ebb-tide of failure. By the time the little Texas army had completed their triumph at San Jacinto, I had squared up matters and was busy making a living, which, fortunately for me, I was able to do from my earliest boyhood without very great hardship.

Messrs. Austin, Wharton, and Archer, commissioners to the United States, came through New Orleans in January, 1836, but I learned nothing from them as to my brother. As the summer advanced I began to think of making a trip to look after my soldier brother, as I could get no reliable intelligence of him. I asked for a leave of absence and the firm gave me thirty days without stopping my salary. So the Unseen Hand that guides us in the way, even when we plant the steps just as our wishes or judgment dictates, was leading me to Texas—my destiny.

My boat, the schooner Colonel Fannin, after a pleasant voyage from New Orleans, landed at Velasco, Texas, about the last of October, 1836. My main object in visiting Texas was to find my brother. As a soldier he had participated in the glorious struggle that had just closed, and when I began to appreciate its aim and end, I felt proud that I had fitted out one soldier for the Republic of Texas in the time of need.

Velasco, on the left bank of the Brazos, at its mouth, was at this time the chief port of the Republic, while Quintana, on the opposite side, was the seat of an extensive foreign trade. American Galveston had not then been established. The main busi-

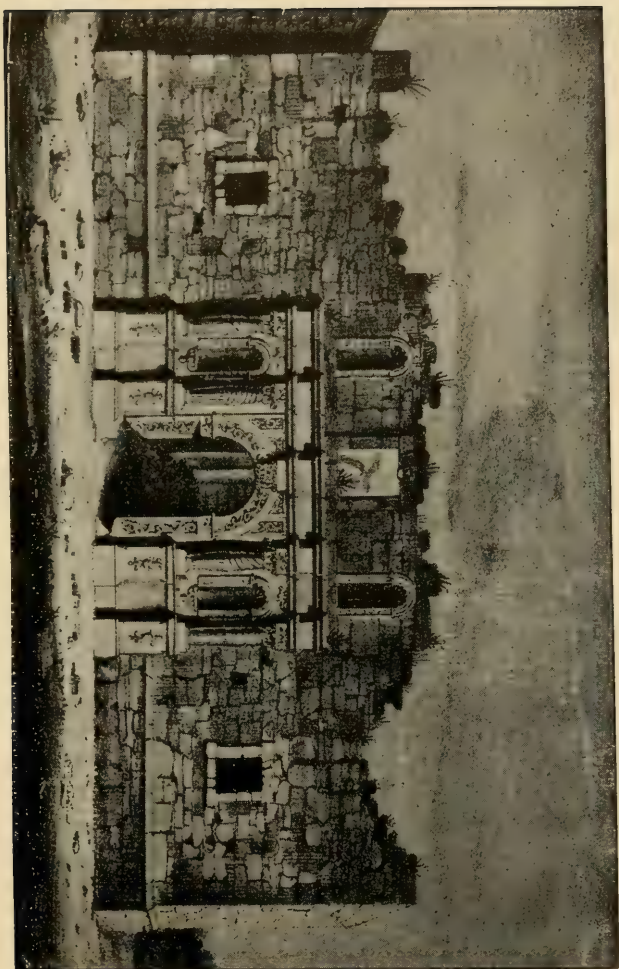
ness house here, and perhaps the largest in the whole country, was that of McKinney & Williams. With this noted firm I found brother. Our greeting was warm, as we had been separated a year or more.

After sufficient talk between us on family affairs, he proceeded to give me the following account of his adventures since our parting:

"About the last of October, 1835, we landed in charge of Ed Hall at Velasco, from the schooner Columbus. The Grays received a hearty welcome from the Texans, and we organized immediately, electing Robert L. Morris captain, W. G. Cooke first lieutenant, and Charles B. Bannister second lieutenant. We had left the United States as individuals to avoid a violation of the neutrality laws, hence our organization out of their jurisdiction, though we all knew the result before; in fact, it was well understood in New Orleans. Dr. A. M. Levy was elected surgeon and Mandred Wood commissary and quartermaster.

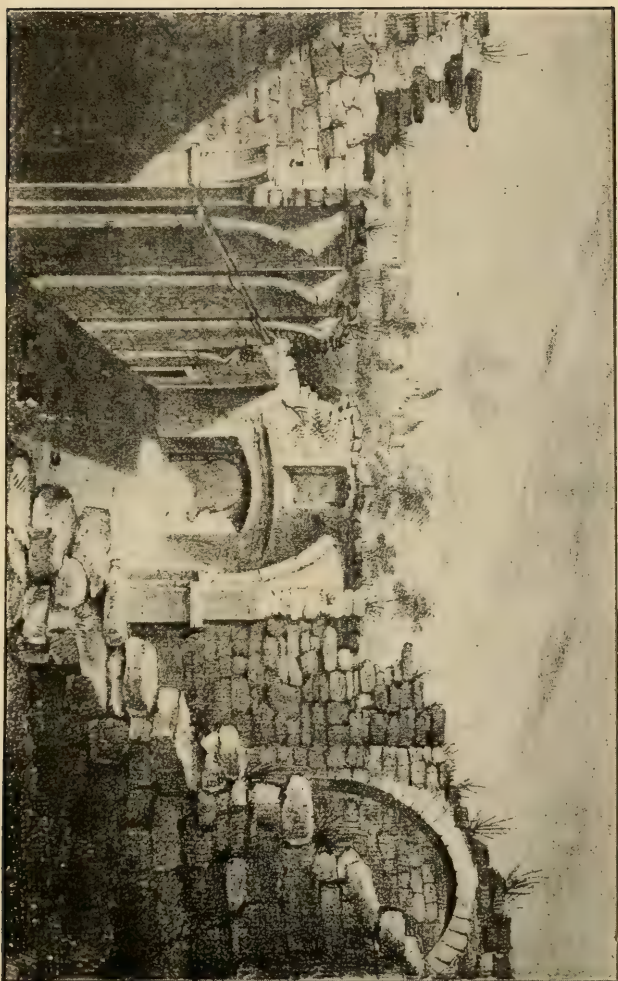
"We then took passage on the Laura up the river to Brazoria, and thence marched overland more than 200 miles to San Antonio de Bexar. General Austin was then in that vicinity with a Texan army. We reached his headquarters a little tired, but in good trim about November 21st, and reported ready for duty the next day. The Grays were the first foreign company to join the Texans, and our arrival in camp created great enthusiasm. We were well fitted out with arms and uniform, and looked like real soldiers. It was not long before we showed the world that we did not belie our looks. General Austin left in a few days to go as a commissioner to the United States, and General Burleson was chosen commander to fill Austin's place.

"Well, you have heard about our taking Bexar. When Col. Ben Milam came into camp he called for volunteers to follow him into Bexar. The Grays were the first to volunteer, and finally about 300 came forward. We entered the suburbs of Bexar a little before light on December 5th in two columns, one commanded by Colonel Milam and the other by Col. Frank Johnson. Major Morris, our first captain, went with Colonel Milam. The Grays, then commanded by Captain W. G. Cooke, fell in line under Johnson. We had to fight our way from house to house. Milam was killed on the second day. Major Morris



THE DISMANTLED ALAMO, 1836-48.

INTERIOR VIEW OF THE ALAMO RUINS.



became then second in command under Colonel Johnson, who had been chosen leader in place of Milam. We steadily advanced towards the plaza, firing from the housetops, and picking with crowbars and axes our way through the walls of the houses. The Grays led the advance to the plaza, and on the fourth night we forced an entrance to the priest's house, driving out the Mexicans. This decided the fight, as the next morning showed us the plaza abandoned, the enemy having retreated to the Alamo Mission across the river. General Cos, without any more fighting, surrendered his army of about 1100 Mexicans to not more than 300 Texans. That was a pretty good fight, wasn't it?"

I could but say, "Yes." I felt prouder of Tom than ever. In answer to my further inquiries, he continued:

"The storming of Bexar, the most glorious feat of arms of the Texan revolution, closed the campaign of 1835, and no armed Mexican could be found east of the Rio Grande. A movement against Matamoros soon began, and the army generally scattered out in that direction—some of the Grays under Major Morris and others under Captain Pettis, with Colonel Fannin. As for myself, I remained with the small garrison at Bexar till late in January, 1836, when, half sick, I turned eastward and proceeded afoot to the Brazos River. Here I fell in with Capt. Thomas W. Grayson, who commanded the Yellowstone steamboat on that river. (Captain Grayson was a family connection, and before leaving South Carolina had been with my father on one of his steamboats.) This staunch old friend took care of me while sick and then gave me employment on his boat.

"Before I got fairly on my feet again the terrible news reached me of Santa Anna's capture of the Alamo and the destruction of its brave defenders under Travis, Bowie, and Crockett. After that in a short time came the news of Colonel Fannin's surrender.

"¹Fannin was on the retreat from Goliad, as ordered by Hous-

¹ There is a melancholy interest which attaches to the name of the heroic but unfortunate Fannin.

From a letter given me by the executor of the late Mr. Deffenbaugh, I give these extracts, which show Colonel Fannin's exertions on behalf of Texan independence even before the beginning of actual hostilities,

ton, when he was surrounded by a superior force of Mexicans under General Urrea and after a desperate fight compelled to surrender his army as prisoners of war. A week later, in shameful violation of the terms of capitulation, Urrea had shot all the Texan prisoners, more than 400 in number. This included eighteen of the Grays—two others of my old company having escaped.

"When the Texas army were encamped on the Colorado, the Yellowstone went up after cotton. While at Groce's plantation the Yellowstone was pressed into service by General Houston on his arrival at that place, and it fell upon us to cross the Texan army there to the east side of the Brazos. Meanwhile Santa Anna, in pursuit of Houston, had occupied San Felipe with his army, fifteen or twenty miles below, and it was suggested that an attacking force on the Yellowstone might drop down the river on Santa Anna, but nothing came of it.

"Santa Anna, baffled in his attempt to cross the Brazos at San Felipe by Captain Baker's company, crossed the river with a detachment of his army a few miles below and beat Houston

and also reveal the fact (never found in our histories), that while at the United States Military Academy Fannin was known as J. F. Walker:

"VELASCO, Rio Brazos, Prov. Texas

"Aug. 27, 1835.

"Major — Belton, U. S. A., Mobile Point:

[After describing the political situation in Texas, Colonel Fannin goes on to say]: "And now comes the object of this communication, to wit, will you authorize me to use your name at the approaching Convention or at any subsequent time as an officer qualified and willing to command as brave a set of backwoodsmen as ever were led to battle?

"The truth is, we are more deficient in suitable material for *officers* than we are in *soldiers*, and all being Americans, will be willing—nay, anxious—to receive an officer of reputation. I hope to hear from you by the vessel which will return soon, and at any other time as you may think advantageous—which will be *confidential* or otherwise, agreeable to your request. 'When the hurly-burly is begun' we will be glad to see as many West Point boys as can be spared, many of whom are known to me, and by whom *I am known as J. F. Walker*—my maternal grandfather's name, and by whom I was raised and adopted, and whose name I then bore. . . . My last voyage from the island of Cuba (with 152) succeeded admirably.

"Yr. friend, &c.,

"J. W. FANNIN, JR."

to Harrisburg. He came near catching President Burnet, and burned the town.

"On our way down the Brazos with cotton we had trouble with the Mexican soldiers. They fired into the smokestack of the Yellowstone, hoping thereby to cripple and capture the boat. But this having no effect, they next tried to rope the smokestack, and failing in that they proceeded to stretch their lariats across the river; but all in vain. The machinery of our boat was well protected by the cotton bales, and we sped on our way fearlessly, and soon left all our puny enemies behind. The Yellowstone was a high pressure boat, built for the upper Missouri and Yellowstone—hence her name. She had a good capacity for freight and passengers, and plied the Brazos regularly from Quintana as far up as navigable.

"We ran into Galveston Bay about the 24th of April, and found President Burnet camping on Galveston Island. The next day Captain Calder brought in the glorious news of the battle of San Jacinto. The Yellowstone, with President Burnet and part of his cabinet on board, then steamed up to the battlefield. I always regretted that we were too late for the great battle."

Taking up again the thread of my narrative, I will say that to pay expenses on this trip I had brought with me a stock of merchandise, principally provisions, which I thought would be in demand. Besides, as I remembered that the country was in a state of war, I equipped myself with a good gun, a brace of pistols, and a bountiful supply of ammunition, so as to be ready to render any service that occasion might require.

The short period of my stay at this town (Velasco) was filled with events exciting and strange to me. On the very first day a schooner with quite a number of passengers and a full cargo was wrecked upon the bar. It was said then that the Velasco bar was a hard sand bar, and when a vessel struck upon it she seldom escaped destruction. The people of the town gave every possible assistance with small boats; no lives were lost, and most of the cargo was saved.

My first night was spent in the hotel kept by J. M. Shreve, a Kentuckian (subsequently he was chief clerk of the House of Representatives of the Republic of Texas and I an assistant). His partner in the hotel proved to be Benjamin S. Grayson, of

my native town, Beaufort. He was a brother of Capt. Thos. W. Grayson. We had not seen each other since our boyhood, and our pleasure was mutual upon meeting after so long a time in such a far away country.

After taking tea, Walter C. White and R. J. Clow, known to old Texans as Bob Clow, both of them prominent merchants and recognized as first-class gentlemen, together with Mr. Shreve, proposed that we should have a social evening in playing twenty-deck poker. I told them I had never seen the game played and knew nothing of it; that I really had never heard of such a game. They explained it, assuring me that the game was very simple and interesting; only twenty of the deck was used, and that if I knew the cards I would, in playing a few hands, become familiar with it; that the ante was very small, and they did not bet very high. I said, "Well, I have come to be a Texan, and I suppose I must be taught all the Texas ways, and the sooner I begin the better." The game was commenced at once. Very soon the plays were familiar, and occasionally Clow, who, by the way, was a fine conversationalist and a noted humorist, would remark, "Lubbock, you play the game remarkably well for the first time." "Lubbock, did I understand you to say that you never saw poker played before?" All of which I took in good part, playing with great earnestness, and as I supposed very carefully. About midnight it was proposed, very much to my delight, that we would settle up and quit. My account was short some twenty dollars, which was immediately paid. Clow then said to me: "Lubbock, I like you; I have really taken a fancy to you, and I will volunteer a piece of advice—never play poker." "Why," said I, "you have told me several times during the evening that I played remarkably well and appeared to understand the game fully, and really, Mr. Clow, I like the game. It is amusing, interesting, exciting, and while I could not afford to lose twenty dollars an evening, probably I would win next time."

"I say, Lubbock, don't you play poker." "Well, Mr. Clow, why not? It seems to be fashionable with you merchants." "Well, I will tell you; you haven't a poker countenance." "What is that?" said I. "Well, when you have a good winning hand, it is disclosed by your countenance. The consequence is that no one will bet against you; you are permitted to take the pot and win

but little. Should you have a poor hand, your tell-tale countenance again displays your poverty in the hand, and should you attempt to bluff, you are simply called, your hand beaten, and so you win nothing. Take my advice, my dear boy, and play no more poker." From that day to this present hour I have never played a game of poker for money, although I have seen thousands won and lost at it by others; for, unfortunately, Texas gentlemen do like poker. It's a blessed thing to give good advice. Peace to your ashes, Bob Clow!

Apropos to the item of poker playing in Texas is the famous baccarat scandal trial in London that fills the papers this morning, June 2, 1891, the same date of writing the above about cards in Texas fifty-five years ago. In the present case the court of the greatest nation in Europe, in the greatest city on earth, is investigating cheating in a social game between lords and ladies and the heir apparent of the realm. We are cultivated above that point. The heir apparent to our executive honors has to be better employed if he expects to be crowned, and if our ladies do indulge in a social game, they do not gamble. Would it not be as well, however, to look on that picture in London high life, and introduce some other amusement more elevating than card playing.

A day or two after my arrival in Velasco, while in a billiard room, I witnessed a homicide. Captain Snell, commanding a company of regulars at the post, came in. He accosted Lieutenant Sproul as to his absence from the post. Hot words ensued, and the lieutenant was shot down by his captain and killed. Snell was exonerated, as Sproul probably attempted to draw his sword. He afterward had several unfortunate difficulties, and was himself many years afterward killed in Hempstead. He was a member of my brother Tom Lubbock's company, the New Orleans Grays, and proved himself a brave soldier.

The government of the Republic had been organized at Columbia on the Brazos, and on October 23, 1836, Gen. Sam Houston, the hero of San Jacinto, was inaugurated as the first constitutional president. Thus the Brazos valley held the governmental honors and advantages, while the country eastward and westward boasted of the battlefields of the Revolution.

Congress was then in session, and I hastened with my goods up the river by steamboat to the capital, bearing the same honored name as the capital of my native South Carolina. Leaving the river at Bell's Landing, where we were all put ashore, I found the town of Columbia about two miles westward on the edge of a prairie dotted with live oaks. The Congress was occupying two frame houses—the larger one, with partition removed, for the Representative chamber, and the smaller one for the Senate (then having only fourteen members), the shed rooms being used for committees.

The circumstances were favorable, the little town being filled with people, so very promptly my goods were all sold at a fine profit, leaving me a few days to look about me. All the while no shelter could be obtained. I took my meals with Fitchett & Gill, the tavern-keepers, sleeping under a liveoak tree at night. This was the lodging place of many.

The town presented a wild and romantic appearance to me, just landed from New Orleans, a large and gay city. There was something in it new and attractive, the fine old liveoaks, other majestic trees of the forest, the woods near the town filled with bear, Mexican lions, deer, turkey, and game of every kind.

It made my thoughts fly quick and fast when my mind took in the facts: This is the capital of a republic, with the heads of departments, the Congress in session, and hosts of people in the town—President, judges, representatives, senators, captains, colonels, generals, men of mark, men that would attract attention and respect in any country. Of great intelligence, pluck, and patriotism, they came here to seek homes for themselves in a wilderness. They determined to stay; they were not to be turned back by the hardships of a frontier life, the fear of the savage Indians, or the dread of Mexican invasion. They surmounted every difficulty in their path. They fought the fight with the redman of the prairie, and raising the Lone Star flag confronted the Napoleon of the West, wresting from his tyranny the grandest territory of this continent.

Here were Sam Houston, M. B. Lamar, Henry Smith, S. F. Austin, James Collinsworth, E. M. Pease, W. H. Jack, P. C. Jack, W. H. Wharton, John A. Wharton, Anson Jones, Edward Bur-

leson, Mosely Baker, David G. Burnet, Stephen H. Everett, Jesse Grimes, Sterling C. Robertson, A. C. Horton, Alexander Somervell, Richard Ellis, James S. Lester, Richard Scurry, Thos. J. Rusk, John W. Bunton, Jesse Billingsley, Ira Ingraham, Albert Sidney Johnston, and others. These men were unlike in character, and differing with each other about measures, even before the smoke of the great conflict had cleared away; and being men of strong wills, their differences often had the characteristics of downright animosities. A great deal was told about how they disagreed, and how this one and that one "went it independent," even at the time the little Texas army of eight hundred men confronted the Mexicans under their famous leader Santa Anna. All the same they whipped the fight. "Remember the Alamo!" "Remember Goliad!" stirred every heart and nerved every arm. The absorbing idea was victory. Victory was theirs. All honor to the patriot warriors of 1836!

San Jacinto won, an arduous task was before them, and these men in the first Congress addressed themselves with great ability and enthusiasm to the task of solving the problem presented to their consideration. A government was to be reared amid difficulties on all sides. As yet they were not recognized among the nations of the earth. They had no revenue and no credit; the Mexicans were still their enemies; the Indians were within their borders; the little army was unpaid, poorly fed, and in need of clothing, and impatient at inactivity. Some argued that they should make a forward move against Mexico, while others, President Houston of that number, believed in resting on the victory already gained.

There were dissensions about Santa Anna, who was under a guard of twenty men about twelve miles from the capital. What was to be done with him was a great question, until Sam Houston cut the Gordian knot about this time. Some of the cabinet and many of the officers of the army believed that he had forfeited his life by the outrages perpetrated at the Alamo and at Goliad. Others, with President Houston as their leader, insisted that he should be treated as a prisoner of war. President Houston commissioned three well known brave and true men, his own selection—Col. B. E. Bee, Colonel Patton, and G. W.

Hockley—who in a quiet manner accompanied him overland to the Mississippi, thence up the river and across the country to Washington City, D. C.

Stephen F. Austin, then Secretary of State, the leader of the colony that had taken possession of this beautiful Brazos country lay dying at Geo. B. McKinstry's, in the town. He had toiled



STEPHEN F. AUSTIN.

long and well for his people, and just as they had begun to taste the cup of happiness, they must lose his counsel in the State.

Then in the army who should and who should not be commander-in-chief, now that Houston was elected President, was another very much discussed question. Rusk was left in charge at first after Houston. When he wished to resign, Lamar was appointed to take the place, but declined on account of opposition on the part of the soldiers, and Rusk remained in command.

Afterward Felix Huston was commander-in-chief for a time, when Albert Sidney Johnston came on the scene and was appointed to take command. Then followed that remarkable historical duel that left Johnston a badly crippled up man for some time.²

On many points there was great divergence of opinion; but bound together by a common interest, having the same hopes and the same fears, when the public good called them to duty the grand men of the early days of Texas were never found wanting. In no other way could the glorious new-born Republic have grown in strength and dignity amid the perils that beset her from first to last. I made the acquaintance of some of these men then, and a few months later most of them became my friends.

The strong, massive characters of the people, and the apparent grandness of the country, impressed me greatly. So thoroughly was I persuaded of the bright prospect ahead for those who would settle promptly, that I at once made up my mind that if my young city wife would give up New Orleans and follow me, Texas would be our home.

My stay in Texas was short, but I had found my country. Judge Ben C. Franklin had already administered to me the oath of allegiance to the young Republic; and as I was eager to begin life as a Texan, I hastened back to my wife to jointly perfect our plans.

I took passage for New Orleans on the schooner Julius Caesar, arriving at that port on November 28th, after a little more than a month's absence. One of my fellow passengers, whose ac-

²"WAR DEPARTMENT,

"COLUMBIA, February 7, 1837.

"Dr. A. Ewing, Surgeon General:

"SIR—I am requested to instruct you to repair forthwith to the headquarters of the army, there to consult with the faculty on the case of Gen. A. Sidney Johnston, who has been badly wounded by a pistol shot.

"You will report while at the army the names of all surgeons employed there; also a minute account of the situation of the medical department, so that all deficiencies may be remedied.

"WILLIAM S. FISHER,

"Secretary of War."

quaintance I then made, was the Hon. Wm. H. Wharton,³ minister to the United States, en route for Washington. With him was his son, John A., then a bright ten-year-old lad. A quarter of a century afterwards or more I will have occasion in my narrative to notice the grown-up boy.

³Wharton's instructions, made out by the first Texan Secretary of State, Stephen F. Austin, emphasized two vital points: 1. The recognition of the independence of Texas. 2. The annexation of Texas to the United States. Recognition was to be pressed first. The Congress had not then taken any action on our western boundary. Austin, in his instructions, named the Rio Grande, but if that hindered recognition, Texas would recede to a point on the gulf half way between the mouth of the Rio Grande and Corpus Christi Bay, and thence on the dividing ridge between the Nueces and Rio Grande north to the Pecos fifty miles above its confluence with the Rio Grande, and up the Pecos to its main source, and thence due north to the forty-second parallel.

Minister Wharton, under date of New Orleans, December 2d, thus writes the Secretary of State: "I believe I told you at Washington that after my protest to General Jackson against the sale of Texas by Mexico, which was at first supposed to be the business of Gorostiza (the Mexican Minister at Washington), I had a long and as I conceived demiofficial conversation with Donelson (the President's private secretary), in which he stated that if the United States chose to give Mexico a few millions for a quitclaim of Texas by way of hush money, leaving to Texas the arrangement of the terms of annexation, that Texas ought not through pride object to it. I answered him then, as I will again unless otherwise instructed, that the treaty between Texas and the United States must precede the hush money to Mexico; that after Texas was annexed the United States might give what she pleased, and that Texas for her part would never give Mexico anything but lead in purchase of peace and independence."—Ed.

CHAPTER THREE.

Removal to Texas—Settlement in the New Town of Houston—Opening of Congress—The Telegraph Newspaper—Indian Pow-wows—Various Incidents—San Jacinto Ball at the Capitol—Celebration at Liberty—Lost and Benighted on the Prairie—First Purchase of Wild Land—Assistant Clerkship in the House of Representatives—Joining the Masons—Currency Meeting—Appointed Comptroller by President Houston—The Philosophical Society.

It was not long before my Creole wife decided with me for Texas. A few days before Christmas we accordingly embarked on the schooner *Corolla*, bound for Quintana, which port we reached in good time after a stormy voyage.

There were twenty-five or thirty passengers, including John W. Dancy, afterwards a prominent figure in Texas politics. He made his appearance on the schooner booted and spurred. After passing out the mouth of the Mississippi, the swell of the open sea, though not rough, made Dancy deathly sick, and he lay about the cabin and on the deck covered with freight, mostly barrels, in perfect abandon. The sailors passing fore and aft on duty were compelled to step over him so frequently that one of them became fretted and said to him, "Get out of the way, or I'll throw you overboard," to which Dancy only replied, "I wish you would." He doubtless felt it would be a relief, for he was so sick that he never took off his spurs. As he had come aboard booted and spurred, so he landed at Quintana, ready to mount a pony for the interior.

As on my first entrance into Texas, I brought with me for sale a stock of goods, staple groceries, flour, sugar, coffee, bacon, and other things. I hastened matters, for the reason that on the first of January, 1837, the duties were to be increased on all importations into Texas. Others, of course, were moved by the same cause, and there was great activity in this business. I succeeded in getting a vessel promptly, and entered the Brazos among the foremost.

Our vessel had scarcely been made fast upon our arrival at Velasco before an officer, who proved to be Maj. Isaac N. Moreland, the commandant of the post, came on board. He desired

to know what cargo there was on the schooner. Learning from the captain that there were one hundred barrels of flour on board, he at once said, "I must have it for the army. To whom is it consigned?" The captain informed him that the owner was on the vessel, called me, and introduced me as the owner of the flour. Major Moreland then said, "The troops are suffering, and I must have the flour on government account. What is the price?" I told him that the flour had cost very high in consequence of the upper rivers being closed with ice when I purchased, and to make anything I must have \$18 per barrel in gold. He assented to the price, but remarked, "You will have to take government receipts." I then explained my condition, that it would ruin me financially if I did not receive the money for the flour; that it was purchased on very short time, and I would not be able to meet the obligation. I then said: "There will be several vessels arriving in a few days, all with flour on board. I will give you ten barrels of my flour. That will run you until other arrivals, when you can draw additional supplies from them, making it equal on us all. We compromised on that. I turned over to him ten barrels at \$30 per barrel, taking government certificates. These were paid to me some fifteen years afterward, upon the sale of the Santa Fe territory to the United States. Thus one part of my merchandise was put out on long time without any interest, at the period when I needed it most; but that was in common with many other citizens, and we all submitted cheerfully. Besides this, another circumstance affected my mercantile prospects. Congress, before adjourning, had extended the time for the importation of goods under the tariff already existing. The result of this was to glut the market, particularly with the necessaries of life. Thus I did not sell out so rapidly. Probably this was the means of moving me from the Brazos to a new place and changing my whole life, as I did not make such a financial success in merchandising as to fasten me to it.

A few days after landing, the schooner *Mexicana* was captured by the Texas privateer Tom Toby. She fortunately had quite a large lot of Mexican sack flour, as well as other valuable army supplies on board. She was taken in charge by Capt. R. J. Cal-

der, the sheriff at that time of a large adjacent territory. He employed me to assist him in the sale of the captured cargo.

This was my first labor for the government of Texas, soon after I had come to make my home in Texas, in December, 1836.

Velasco was then the prospective seaport and commercial emporium of the young republic that was cradled in the rich valley of the Brazos, and now again after half a century she lifts her head with buoyant hope of success.

This work at Velasco accomplished, to make my wife comfortable, we went up to Brazoria and boarded with Mrs. Jane Long, the widow of Gen. Jas. Long. He invaded Texas with about 300 men, taking Nacogdoches in 1819, but after a series of misfortunes was captured at Goliad in 1821 and taken off to Mexico. His faithful wife, left at Bolivar Point, near Galveston Island, and deserted by all but a servant girl, remained at her post during the succeeding winter, vainly expecting the return of General Long, who was murdered in the City of Mexico. To keep off the Karanchua Indians, Mrs. Long herself frequently fired off the cannon at the fort. She was rescued the next year by some of Austin's colonists. Mrs. Long's career had in it a touch of romance very rare even in the Southwest. She was a sensible, strong-minded woman, and she highly entertained us with the recital of her thrilling adventures.

We made some distinguished acquaintances at Mrs. Long's—among others, Judge Ben C. Franklin and General Lamar, then Vice-President of the Republic, in the prime of life and the halo of his glory won at San Jacinto. He was a man of the French type, five feet seven or eight inches high, with dark complexion, black, long hair, inclined to curl, and gray eyes. Lamar was peculiar in his dress; wore his clothes very loose, his pants being of that old style, very baggy, and with large pleats, looking odd, as he was the only person I ever saw in Texas in that style of dress. I found the Vice-President rather reserved in conversation; it was said, however, that he was quite companionable with his intimate friends. He had proved his soldiership at San Jacinto—he was now trying the role of statesman. One of the guests at Mrs. Long's was telling a fishy story, with extra embellishments, when Lamar dryly remarked: "I have known men

to add a little fiction to their stories to make them interesting, but this fellow lies without metes, bounds, or landmarks.”⁴

Judge Franklin, also a soldier of San Jacinto, as I understand, presided over the first court held under the judicial system of American Texas. Judge Franklin was about six feet high, well proportioned, with fair complexion and dark hair, a good lawyer, affable and courteous in manners.

Shortly after this, coming from Quintana to Brazoria on horseback, I was belated, got lost, and had to spend the night in the Brazos bottom. The darkness was made hideous by the yelping of wolves, the cries of the Mexican panther, and the never ending hum of mosquitos. Being green from the States, I almost despaired of life, while anxiously waiting the issue. The welcome morning brought me deliverance, but on my arrival at the boarding house my face appeared so disfigured by mosquito bites that my wife scarcely recognized me. This horrible night's experience in the Brazos bottom six decades ago is still distinct in my memory.

About the last of December, 1836, I met the brothers A. C.

⁴“Through the period of a long life the ex-Vice President, Governor Lorenzo de Zavala, has been the unswerving and consistent friend of liberal principles and free government. Among the first movers of the Revolution in his native country, he has never departed from the pure and sound principles upon which it was originally founded. This steady and unyielding devotion to the holy cause of liberty has been amply rewarded by the high confidence of the virtuous portion of two republics. The gentleman, the scholar, and the patriot, he goes into retirement with the undivided affections of his fellow citizens; and I know, gentlemen, that I only express your own feelings when I say that it is the wish of every member of this assembly that the evening of his days may be as tranquil and happy as the meridian of his life has been useful and honorable.”—Extracts from Lamar's inaugural address.

He had poetical and literary taste, and if he wished to say a thing he could do it admirably well.

Just before this time, November 15, 1856, his predecessor in office, Lorenzo de Zavala, passed away at his home on Buffalo Bayou, near Lynchburg. I regret that I had not the opportunity of knowing this great and good man. Subsequently I became well acquainted with and frequently visited his elegant family at their old homestead. His death occurred in less than one month after Vice President Lamar's complimentary remarks.

and J. K. Allen, whose acquaintance I had made before at Columbia. These thorough-going business men had tried to purchase the site of old Harrisburg for the purpose of founding a town, but failing in this they bought the Parott league, a few miles above, on Buffalo Bayou. On this league, at the head of navigation, they had laid out the new town of Houston, named in honor of the President of the Republic. By their enterprise and influence they had succeeded in getting the seat of government removed to that place, to remain until 1840.

These brothers (A. C. and J. K.) had been in Texas three or four years, and three other brothers arrived in Houston soon after its location—all of them good and prominent citizens.

J. K. Allen was a very bright, quick man, with much magic about him, and well calculated to enthuse the young. A. C. was more taciturn and settled; he was a married man, with his family then in Nacogdoches. The former died very soon after locating the place; the latter lived many years thereafter.

The Allens encouraged me to go with them, taking the goods still on hand to open a house in the town of Houston. We took a small steamer called the *Laura*, owned by McKinney & Williams. It was commanded by Captain West, a boy chum of mine, and son of Dr. West, of Beaufort, S. C. Among her passengers were J. K. Allen, one of the proprietors of the new town, Gen. Mcsely Baker, and Judge Benjamin C. Franklin, both distinguished lawyers of this section, the former the captain of a company at San Jacinto. We made a safe run into Galveston Bay, where we lay aground several days, and thence up the bay and Buffalo Bayou, arriving at Harrisburg without difficulty. The navigation after entering the bayou was good, with plenty of water and breadth, until we reached this place.

Here we were cordially welcomed by the people of the village, among them the Birdsalls, Wilsons, Richardsons, and Harris. The town was called Harrisburg, as was also the county, after the last named family. Subsequently the name of the county was changed to Harris by law. My friend, Mrs. Andrew Briscoe, now living in Houston, is a daughter of Mr. John R. Harris of this place. She is now the widow of Capt. Andrew Briscoe, who commanded a company of regulars at the battle of San Jacinto. He was one of the signers of the Declaration of Independence. Sub-

sequently I had the pleasure of having him for a friend and neighbor for many years. No boat had ever been above this place, and we were three days making the distance to Houston, only six miles by the dirt road, but twelve by the bayou. The slow time was in consequence of the obstructions we were compelled to remove as we progressed. We had to rig what were called Spanish windlasses on the shore to heave the logs and snags out of our way, the passengers all working faithfully. All hands on board would get out on the shore, and cutting down a tree would make of it a windlass by boring holes in it and placing it upon a support and throwing a bight of rope around it, secure one end to a tree in the rear and the other to the snags or fallen trees in the water. Then by means of the capstan bars we would turn the improvised capstan on land, and draw from the track of our steamer the obstructions. Capitalist, dignified judge, military heroes, young merchant in fine clothes from the dressiest city in the United States, all lent a helping hand. It being necessary to lie by at night, in the evenings we had a good time dancing and frolicking with the settlers on the shore, who were delighted to see "newcomers from the States."

Just before reaching our destination a party of us, becoming weary of the steamer, took a yawl and concluded we would hunt for the city. So little evidence could we see of a landing that we passed by the site and run into White Oak Bayou, only realizing that we must have passed the city when we struck in the brush. We then backed down the bayou, and by close observation discovered a road or street laid off from the water's edge. Upon landing we found stakes and footprints, indicating that we were in the town tract.

This was about the first of January, 1837, when I discovered Houston. For though I did not accompany Columbus when he discovered America, as is asserted, I certainly was in at the discovery of Houston, the *Laura* being the first steamer that ever reached her landing. Wharves were not in Texas.

A few tents were located not far away; one large one was used as a saloon. Several small houses were in the course of erection. Logs were being hauled in from the forest for a hotel to be erected (where the Hutchins House now stands) by Col. Benjamin Fort Smith, who was the inspector-general at the battle

of San Jacinto. A small number of workmen were preparing to build cabins, business houses, and this hotel. We boarded on the steamer for several days, and in the meantime hastened business upon the shore.

Immediately I made a contract with the agent of the Allens, J. S. Holman, to have put up for me a small clapboard house on a lot that I had purchased from the town company, paying \$250 for the lot and \$250 for the house. This was built of three-foot pine boards and covered with three-foot boards, and contained all told one room about twelve feet square and a smaller shed room. There was one door leading into the main room and one door from that room into the shed room, both of three-foot boards, with all hinges and fastenings made of wood. There was no window in the house. When air and light were wanted, a board was knocked off. A few rough boards were laid down for the floor, not extending under the bed. This, I believe, is the house Judge D. T. Tyler built for me. All lumber used at that time in building was sawed by hand and cost \$150 per 1000 feet. The bedstead put up in the corner was made by driving forked sticks into the ground and laying poles across with clapboards for slats to support the moss mattress.

Henry Allen, one of the proprietors of the town, had a small log house, and I contracted with him to take care of my goods till I should go back to the Brazos for my wife and my merchandise.

I went by steamboat for my wife and goods on the Brazos. We returned the same way and reached our clapboard shanty without accident in good time. I also contracted for and had built a large wooden structure as a storehouse, costing nearly \$6000. My friend, Robert P. Boyce, was the builder. He proved to be a substantial, worthy, enterprising citizen, and was well known to all the old veterans, as he was one of them.

In our two-roomed mansion we lived, sleeping for many months on our thin moss mattress, until we could get our furniture from New Orleans. Brother Tom also came to live with us. We were young and happy, and although accustomed to every comfort and some luxuries, we took cheerfully every inconvenience and hardship, looking with hope to the great future of Texas. And I can say that neither of us ever regretted the

move in our youthful days from the great Southern mart, New Orleans.

About this time I sold the first flour sold by the barrel, and the first entire sack of coffee sold in Houston, the flour at \$30 per barrel and the coffee at 25 cents per pound, gold.

Harrisburg County, created by the General Council at San Felipe, had just been fully organized. Captain Andrew Briscoe, elected chief justice by the first Congress, proceeded under the law to hold elections for precinct and county officers, with these results: Sheriff, John W. Moore; coroner, Wm. Little; clerk district court, Jas. S. Holman; clerk county court, Dewitt Clinton Harris.

So there was nothing lacking now in the way of good civil government.

Captain Briscoe rather distrusted his own abilities, as appears from one of his letters dated Harrisburg, January 9, 1837, to General Rusk, then Secretary of State. I give the following extract from this letter in the office of the Secretary of State: "You must be aware that none but lawyers can pretend to do law business correctly. It is extremely awkward to undertake a kind of business of which one is entirely ignorant of the rules and form of proceedings. I believe I am a good soldier; but I shall make a very indifferent probate judge or notary public." The people, however, differed with the captain in this matter, and the veteran of San Jacinto was recognized as a most intelligent and efficient civil officer.

The different governmental bodies of Texas, as the Consultation, the Provisional Government, and the Government *ad interim*, had met at various points in small frame buildings or shanties, and when the first Congress of the Constitutional Government assembled at Columbia, each house had to occupy a small frame building. I will right here name all the capitals that American Texas ever had up to this time: San Felipe de Austin, Washington, Harrisburg, Galveston, Velasco, Columbia, and lastly Houston.

The archives had already been brought over from Columbia, and many of the prominent officials, including President Houston, had arrived at the new seat of government.

The Allens had undertaken to provide a capitol building at

Houston, but fearing they might not have it ready for the meeting of Congress on the 1st of May, erected on Main Street a one-story building covering the front of an entire block. At one corner of the block a large room was constructed for the Senate, and on the other corner a larger one for the House of Representatives, and the space between partitioned off into rooms for the department offices. Col. Thos. W. Ward was the capitol contractor under the Allens. The work was not begun till the 16th



CAPITOL OF THE REPUBLIC, 1837-39.

of April, but it was pushed with such energy that the capitol, though not finished, was far enough advanced to accommodate Congress and the heads of departments. Accordingly, on May 1st, the adjourned session of the First Congress met in the respective chambers, "fitted up and furnished for business."

Next after organization of the two houses came the imposing ceremonies attendant upon the delivery of the President's message.

At 12 m. (May 5, 1837) his excellency the President entered the hall of the representatives accompanied by the heads of the several departments and other officers of the Government, and also by Joseph Tucker Crawford, Esq., his Britannic Majesty's

consul at Tampico, now commissioned to this Republic, all preceded by a joint committee of the Senate and House of Representatives.

"The President was received by the members of the two houses standing, with heads uncovered, and conducted to a seat between the president pro tem. of the Senate and the speaker of the House.

The heads of the departments, the British commissioner, and the other attendants of his excellency were accommodated with seats on the right and on the left of the speaker's chair.

"The members having resumed their seats, after a short pause his excellency rose and read his message." (See House Journal, p. 9.)

Among the matters noted by the President was the recent recognition of Texan independence by the United States and the improved prospects of the Republic thereby; the unsatisfactory state of the finances; his dissatisfaction at the land law; the information that a delegation consisting of twenty northern Indians on the borders of the United States had visited Matamoros and stipulated with the Mexican authorities to furnish that government 3000 warriors, well armed, as soon as it would invade Texas; the favorable state of the army, which reflects credit upon its general [Albert Sidney Johnston]; the effort being made to procure a navy; the iniquity of the African slave trade; and finally, as if to impress the British commissioners favorably, he gave a striking resume of the resources of Texas and her increasing ability to maintain her independence against all the power of Mexico.

About this time Messrs. Borden and Moore brought over their newspaper, the famous *Telegraph*, to Houston. The first issue gives this racy account of their troubles in moving and setting up again:

"We left Columbia on the 16th ultimo (April, 1837), on the steamer *Yellowstone*, expecting that we should be enabled to issue this number of the *Telegraph* in the course of the same week, but disappointment and delay have met us at every turn. At Velasco we were detained a week on account of the surf on the bar; the tide left us fast aground one day at Clopper's bar, and prevented us from reaching Lynchburg until the evening of

the 26th, and a great part of the ensuing day was spent in groping (if a steamboat can grope) at the rapid rate of one or two miles an hour to the very *crown* of the 'head of navigation' on Buffalo Bayou at the city of Houston.

"On landing we determined to take time by the forelock, and immediately proceeded in search of the 'nearly finished building intended for our press.' Our search was fruitless; like others who have confided in speculative things, we have been deceived. No building had ever been nearly finished at Houston intended for the press. Fortunately, however, we have succeeded in renting a shanty which, although like the capitol in this place,

'Without a roof and without a floor,
Without windows and without a door.'

is the only convenient building obtainable. We have therefore been compelled to engage it during this session of Congress.

"N. B.—Our troubles have not yet ended. The shanty is falling about our ears, two massive beams have dropped down upon the stands, made a most disgusting *pi*, and have driven the workmen to seek safety outside. The devil alone looks smiling at the mischief."

Among the early entertainments of the new town was a visit of wild Indians to have with President Houston a "big talk." We give it as told by a correspondent of the *Philadelphia Morning Chronicle* of that date:

"Early in May, 1837, a day or two after the opening of the Congress at the city of Houston, several tribes of Indians being encamped in the splendid forest which covers the undulating ground on the opposite side of Buffalo Bayou where the city is situated, a 'big talk' was arranged with the President Gen. Sam Houston, and the cabinet of Texas, at which Mr. Crawford was invited to be present.

"The 'talk' was held in the White House of Texas, General Houston's residence, then a log cabin consisting of a passage or hall open at both ends, and a room of very moderate dimensions on each side.

"On the anniversary of the battle of San Jacinto (21st of April) a lofty flagstaff had been erected on Main Street, and on

this occasion a splendid silk flag of the new Republic was for the first time displayed from it. Around this flag several hundreds of Indians and squaws danced a grand war dance. . . . They began moving around the center like so many radii, as is done in the flower dance when represented on the stage, accompanying the movement in a dull and monotonous sort of music of their own voices, which became quicker and quicker till they got into a very rapid motion with occasional shouts and yells, and then all at once stopped and suddenly dispersed.

"After this, the chiefs adjourned to the 'talk.' These consisted of some six elderly and very sedate, grave gentlemen, who were seated around a table and communicated through an interpreter. The latter appeared a very intelligent, middle-aged man, and seemed to possess the implicit confidence of the chiefs."

"General Houston acquitted himself with his usual tact on such occasions, and aroused a real enthusiasm by his 'talk' to the redmen. But nothing can be done towards treating with Indians without presents, so next comes that most important part of the whole ceremony.

"In the afternoon the presents were delivered and instant distribution began, each carrying away his respective share. Tobacco seemed of all the articles they received to be the most esteemed. Drunkenness then began, and at last General Houston had to send around to the liquor stores to request that no more whisky should be sold, which had the effect of inducing them quietly to retire to their camp, but the woods rang nearly all night with their yells."

These Indians, when out of sight, forgot all their fine talk with General Houston, and on their way back to their country killed and scalped several whites.

Among the notables at Houston on the opening of Congress were Alcee La Branche, the United States charge d'affaires, and R. J. Walker of Mississippi, the first mover of Texas independence in the United States Senate.

The ornithologist, J. J. Audubon, gives the following interesting account of his visit to President Houston in his diary, May 4, 1837:

"We walked towards the President's house accompanied by the

Secretary of the Navy, and as soon as we rose above the bank we saw before us a level of far-extending prairie destitute of timber, and rather poor soil. Houses half finished and most of them without roofs, tents and Liberty pole, with the capitol, were all exhibited to our view at once. We approached the President's mansion, however, wading in water above our ankles. This abode of President Houston is a small log house consisting of two rooms and a passage through, after the Southern fashion. The moment we stepped over the threshold on the right hand of the passage we found ourselves ushered into what in other countries would be called the antechamber. The ground floor, however, was muddy and filthy; a large fire was burning, and a small table covered with paper and writing material was in the center; campbeds, trunks, and different materials were strewed around the room. Here we were presented to Mr. Crawford, an agent of the British minister to Mexico, who has come on a secret mission. The president was engaged in an opposite room on some national business and we could not see him for some time. Meanwhile, we amused ourselves by walking in the capitol, which was yet without a roof, and the floors, benches, and tables of both houses of Congress were as well saturated with water as our clothes had been in the morning. Being invited by one of the great men of the place to enter a booth to take a drink of grog with him, we did so; but I was rather surprised that he offered his name instead of the cash to the barkeeper.

"We first caught sight of President Houston as he walked from one of the grogshops, where he had been to stop the sale of ardent spirits. He was on his way to his house, and wore a large gray coarse hat; and the bulk of his figure reminded me of the appearance of General Hopkins of Virginia; for, like him, he is upward of six feet high and strong in proportion. But I observed a scowl in the expression of his eyes that was forbidding and disagreeable. We reached his abode before him, but he soon came in and we were presented to his excellency. He was dressed in a fancy velvet coat and trousers trimmed with broad gold lace, and around his neck was tied a cravat somewhat in the style of '76. He received us kindly, was desirous of retaining us for awhile, and offered us every facility in his power. He at once

removed us from the anteroom to his private chamber, which by the way was not much cleaner than the former. We were severally introduced by him to the different members of his cabinet and staff, and at once asked to drink with them, which we did, wishing success to the new Republic. Our talk was short, but the impression which was made on our mind at the time by himself, his officers, and the place of his abode, can never be forgotten."

Houston having been made the seat of government, at once became the attractive point of all Texas. Water communication was good down Buffalo Bayou to Galveston, and vessels at once engaged in making regular trips to that city from New Orleans and other points, and many delivered their cargoes at the Houston wharf. A large trade soon sprang up with the country by means of ox teams and the capital city soon became the commercial mart of the Republic. Capital began to flow to it, and industrious, enterprising men engaged in all occupations, giving the city a lively business air.

Yet while it was eligibly located, having the advantage of good navigation and a very rich tributary country, it was a very muddy place, almost the entire town tract being black, stiff land, and with very poor drainage, so that, with the immense wagon trade, the roads and streets, although very wide and handsome, were almost impassable in wet weather.

Then building material at an early day was scarce and high, owing much to the want of labor. There was no stone, and for a long time no brick was manufactured, though material in abundance for them was there and it is now largely utilized. Lumber, so abundant nearby and running so many mills at present, was furnished then only by the whip-saw. An occasional cargo came in from abroad and was sold as high as \$100 to \$150 per 1000 feet. Thus very few good houses were built the first few years. In fact the majority of the buildings for a long time were of logs, clapboards, and rough sawed boards, and the heating done by stick and mud chimneys. Stoves at that time were very seldom if ever seen.

The army was being furloughed in the winter of 1837 and 1838, and finally disbanded. This brought a large number of soldiers to the city, consequently there was much dissipation,

gambling, and fighting. The city, however, was well officered and policed, and very little outlawry was permitted. Courts were organized and punishment was meted out promptly.

An occurrence at an early day shows how Houston failed to get a carriage factory and lost at least one good immigrant. Charles Hedenberg, of the firm of Hedenberg & Vedder, commission merchants, had induced an uncle of his to come out from New Jersey with the view of establishing a carriage manufactory. Arriving very early in the morning, his trunks were taken to the business house of Hedenberg & Vedder. About 10 o'clock of that day Hedenberg suggested to his uncle that the Congress of the Republic was then in session, and that if he would go up to the capitol he might be entertained, and after a while they would go to the house. The Jersey man proceeded to the capitol after a short time, and while seated in the Senate chamber rapid firing took place in the hall of the building, which caused everyone to leave the chamber. Repairing to the hall to see what was going on, he (Hedenberg) witnessed the bearing off of Algernon Thompson, badly shot by one Brashear, both clerks in the senate. He probably had never shot a pistol or seen the effects of a shot before, and immediately left the building, going down Main Street on the west side. After traveling very fast and walking several blocks, in passing the Round Tent Saloon a soldier who was shot by one Seevey nearly fell upon him. He at once with a double quick rushed across to the east side of the street, and just as he got over and directly in front of John Carlos' Saloon a party rushed out of the door, almost running against him, with his bowels protruding from an immense bowie knife wound inflicted by a discharged soldier. His steps were again quickened and he hastened to the store of his nephew nearby, out of breath, and gasped "Charley, have you sent my trunks to the house?" "No, uncle; not yet." "Well, do not send them. Get me a dray so I can at once take them to the boat that leaves for Galveston this afternoon." "Why, uncle, what do you mean? Why, you have seen nothing; have not had time to look at the town." "Charley, I have seen enough. I wish to return home immediately. I do not wish to see any more of Texas." Charley had been busy in the store and knew nothing of the scenes that had been witnessed by his

New Jersey uncle and so was quite surprised at the causes leading to the hasty return of his kinsman, who immediately took his baggage to the boat, got in his stateroom, left Texas, and never returned.

I arrived at the capitol before Thompson, who was severely but not fatally shot, was borne away; but I saw and heard nothing of the New Jersey man, to whom I had been introduced in the morning, until I returned to the store of Hedenberg & Vedder. Charley was a great friend of mine and brother to Maggie Hedenberg, who was then at our house, where she remained until she married C. K. Hall, both lifelong friends of ours. So on their account I was more than usually interested in the new immigrant, and though I have often laughed over it since that time, I sympathized deeply with him when Charley gave me a regretful and graphic description of his uncle's quick departure.

Yet the courts of justice performed their duty sternly and with good results. To give an illustration of speedy punishment, one "Quick" killed a man with whom he was gambling, one "Jones" killed "Mandrid Wood," a member of the celebrated New Orleans Grays, all of them soldiers. The grand jury was in session. They were indicted, tried, and convicted of murder in the first degree. I was foreman of the jury in one of the cases. The defendants were represented by able counsel, one of the counsel being Charles Watrous, a very able lawyer, quite distinguished later on, and who died a federal judge. Motions were made and argued for new trials, and every effort made to delay the sentence of death. Judge J. W. Robinson⁵ overruled every motion made, although the defendants' attorneys asserted that if the men were hung they would be judicially murdered. They were brought into court for sentence. It had been represented to the court that the jail was very insecure, the weather was cold, and the prisoners quite uncomfortable, particularly as they had to be kept ironed for security. So the judge pronounced sentence that the two men, "the prisoners, in consequence of the insecurity of the jail, the extreme cold weather, and their uncomfortable situation," be hung on the Friday fol-

⁵ Lieutenant-Governor under the Provisional Government in 1835-36, and acting Governor on the deposition of Henry Smith.

lowing their conviction, which was done; and the spot where they were executed is called to this day "hangmen's grove."

It must be borne in mind that at the time of these occurrences the country was just emerging from a war that had been going on for a long while. Every man with but few exceptions had been in the army and bore arms, and the few civilians outside of the military were in the habit of going armed; so that people were ready to resent insult and wrong without waiting for the slow process of the law, hence many personal difficulties occurred.

It can be said, however, that in those times very few brutal murders or assassinations took place; generally when killings occurred they were caused from sudden difficulties and in hot blood.

For the fact is, from the very first settlement of Houston we had good people, intelligent men, and elegant women—men and women of good breeding and fine culture. We had them from the different States and from foreign countries and with all the wildness and recklessness of a new country in her environs society was on a firm, fixed, and honest basis. We soon had a good legal bar, with proper courts, learned physicians, good preachers, and intelligent school teachers.

Just one year from the battle of San Jacinto we had a grand San Jacinto ball, and it would have reflected credit on any one of the large cities of the United States on account of the great number attending, drawn for miles from the settled portions of the State, the many beautiful women present with their fine costumes and the many elegant looking young men handsomely dressed. And why not? for the most of them had not been in Texas long enough to wear out the finery they had brought with them "from the States," and if anything new was purchased it generally came from New Orleans, the Paris of America.

The following account is from the *Ladies' Messenger*. The ball came off in a large two-story building about finished on the spot now occupied by Mr. T. W. House's bank:

"Chandeliers were suspended from the beams overhead, but they resembled the glittering ornament of to-day in naught save the use for which they were intended. Made of wood, with sockets to hold the sperm candles, and distributed at regular dis-

tances, each pendant comprised five or six lights, which shed a dim radiance, but alas, a liberal spattering of sperm upon the dancers beneath. The floor being twenty feet wide, by fifty feet in length, could easily accommodate several cotillions, and, although the citizens of Houston were very few, all the space was required for the large number who came from Brazoria, Columbia, San Felipe, Harrisburg, and all the adjacent country. Ladies and gentlemen came in parties on horseback distances of fifty and sixty miles, accompanied by men servants and ladies' maids, who had in charge the elegant ball costumes for the important occasion. From Harrisburg they came in large row boats, that mode of conveyance being preferable to a horseback ride through the thick undergrowth, for at that time there was nothing more than a bridle path to guide the traveler between the two places.

"Gen. Moseley Baker, one of Houston's first citizens, was living with his wife and child (now Mrs. Fannie Darden) in a small house built of clapboards; the house comprised one large room designed to serve as parlor, bedroom, and dining-room, and a small shedroom at the back. The floor, or rather the lack of floor in the large apartment, was concealed by a carpet, which gave an air of comfort contrasting strongly with the surroundings.

"As the time for going to the ball drew near, which was as soon as convenient after dark, several persons assembled at General Baker's for the purpose of going together. These were General Houston, Frank R. Lubbock (since Governor and now State Treasurer) and his wife, John Birdsall (soon after Attorney-General), and Mary Jane Harris (the surviving widow of Andrew Briscoe). General Houston was Mrs. Baker's escort, General Baker having gone to see that some lady friends were provided for. When this party approached the ball room, where dancing had already begun, the music, which was rendered by violin, bass viol and fife, immediately struck up "Hail to the Chief;" the dancers withdrew to each side of the hall, and the whole party, General Houston and Mrs. Baker leading, and maids bringing up the rear, marched to the upper end of the room. Having here laid aside wraps, and exchanged black slippers for white ones, for there was no dressing room, they were

ready to join in the dance, which was soon resumed. A new cotillion was formed by the party who had just entered, with the addition of another couple, whose names are not preserved, and Mr. Jacob Cruger took the place of Mr. Birdsall, who did not dance. General Houston and Mrs. Baker were partners, Mrs. Lubbock and Mr. George Cruger, and Mr. Lubbock and Miss Harris. Then were the solemn figures of the stately cotillion executed with care and precision, the grave balancing steps, the *dos a dos*, and others to test the nimbleness and grace of dancers.

"General Houston had just returned from New Orleans, where he had been since the battle of San Jacinto for the purpose of having his wound treated. Being the President elect, he was of course the hero of the day, and his dress on this occasion was unique and somewhat striking. His ruffled shirt, scarlet cassimere waistcoat and suit of black silk velvet, corded with gold, was admirably adapted to set off his fine, tall figure; his boots, with short red tops, were laced and folded down in such a way as to reach but little above the ankles, and were finished at the heels with silver spurs. The spurs were, of course, quite a useless adornment, but they were in those days so commonly worn as to seem almost a part of the boots. The weakness of General Houston's ankle, resulting from the wound, was his reason for substituting boots for the slippers then universally worn by gentlemen for dancing.

"Mrs. Baker's dress of white satin, with black lace overdress, corresponded in elegance with that of her escort, and the dresses of most of the other ladies were likewise rich and tasteful. Some wore white mull, with satin trimmings; others were dressed in white and colored satins, but naturally in so large an assembly, gathered from many different places, there was great variety in the quality of costumes. All, however, wore their dresses short, cut low in the neck, sleeves generally short, and all wore ornaments of flowers or feathers in their hair, some flowers of Mexican manufacture being particularly noticeable on account of their beauty and rarity.

* * * * *

"At about midnight the signal for supper was given, and the dancers marched over to the hotel of Mr. Ben Fort Smith, which

stood near the middle of the block now occupied by the Hutchins House. This building consisted of two very large rooms, built of pine poles, laid up like a log house, with a long shed extending the full length of the rooms. Under this shed, quite innocent of floor or carpet, the supper was spread; the tempting turkeys, venison, cakes, etc., displayed in rich profusion; the excellent coffee, and sparkling wines invited all to partake freely, and soon the witty toast and hearty laugh went around.

"The menu card, with its enticing suggestions to pampered appetites was not needed, nor was the costly souvenir of latter day entertainments; most truly did 'good digestion wait upon appetite,' and memory stored away in her cupboard more ludicrous incidents and witty sayings than could be gathered together from a score of elegant modern soirees.

"Returning to the ball room, dancing was resumed with renewed zest, and continued until the energy of the musicians began to flag, and the prompter failed to call out the figures with his accustomed gusto; then the cotillion gave place to the time-honored Virginia reel, and by the time each couple had enjoyed the privilege of 'going down the middle,' daylight began to dawn, parting salutations were exchanged, and the throng of dancers separated, many of them never to meet again.

"Ere long the memory of San Jacinto's first ball was laid away among the mementoes of the dead, which, being withdrawn from their obscurity only on each recurring anniversary, continue to retain their freshness even after fifty years have flown.

"Of all the merry company who participated in that festival, only a few are known to be living at the present day. They are ex-Governor Lubbock, Capt. R. P. Boyce, Mrs. Wynns, Mrs. Mary J. Briscoe, and Mrs. Fannie Darden.

"TEXAN."

A celebration was held at Liberty of the battle of San Jacinto, April 21, 1837. The managers were: Messrs. Luke Bryan, John Booth, Hon. E. T. Branch, Dr. Wm. G. Lewis, K. Bryan, and F. Harden.

The proceedings were as follows: At dawn of the 21st the citizens and soldiers of the place assembled and fired salutes which were heard for many miles around. At an early hour the

town was full of life and gayety, and the presence of many ladies greatly added to the scene. The place of celebration was soon crowded, and an appropriate address was delivered by the orator, J. B. Woods, Esq. Immediately after the oration the ladies were conducted to a sumptuous dinner, and then retired to the house to prepare to "trip the light fantastic toe." Many of the victors of San Jacinto and other citizens, to the number of 200, took possession of a second repast, and after the cloth was removed William Harden, Esq., was conducted to the chair as president of the day, and Judge Coit as vice-president, and the following were the regular toasts drank:

1. "The President of the Republic of Texas" (three cheers); tune, "March."
2. "The Vice President of the Republic of Texas" (three cheers); tune, "Welcome La Fayette."
3. "The Day We Celebrate" (six cheers); tune, "Hail Columbia."
4. "Texas—May her foes turn pale at her name, and may she flourish until time is no more;" tune, "It oftentimes has been told."
5. "The Heroes of San Jacinto—Champions in the struggle for Liberty, they justly merit the gratitude of their country;" tune, "When wild war's deadly blast was blown."
6. "To the memory of Travis" (drank in silence).
7. "Army of Mexico—What a dust we flees kick up;" tune, "Spider and the fly."
8. "Texas Navy—May she unfurl the banners of victory and ride triumphant on the ocean;" tune, "Lashed to the helm."
9. "Star of Texas—A beacon light to the path of liberty;" tune, "Yankee Doodle."
10. "Soldiers of Texas—May their breastworks be Honor, and Fear always a day's march behind them;" tune, "Soldier's Bride."
11. "Mexican prisoners—May they on their return home recollect the first lesson of Cyrus, 'To tell the truth;'" tune, "Dear native homes."
12. "Our host and hostess."
13. "The fair—The highest incentives to honor."

In 1837, while I was a merchant, I left Houston to visit Brazoria on important business. After transacting it I started back. For the horse I was riding, a very fine animal, I paid \$250 in gold. While traveling along the Brazos on the edge of the prairie I was joined by a party of men. After journeying together a few miles we reached a beautiful point of woods—ma-

jestic trees, lovely shade, and fine peach soil. I had but recently arrived in Texas, and everything looked charming to me. I expressed myself as carried away with this piece of wild land, whereupon the party told me it was his; that he owned the point—a labor, 177 acres—known as Parker's Point; that he would sell it very cheap, and named as his price \$1000. He then told me his name, Davis Moore; that he was on his way to his father's place on Chocolate Bayou, Dr. Moore; that his papers were there; that I had better go with him, spend the night, and ride to Houston next day. I accompanied him home, and found the family owning quite a comfortable place. He exhibited his papers showing that he had purchased the land, and assuring me it was all right. I agreed to take the land, he to come to Houston in a few days for the money. The next morning, after receiving from him proper direction, as there was no plain road, I started for Houston. I had to find the way with heads of creeks and motts of wood for guides. After traveling a few miles a fine bunch of mustangs or wild horses came in sight. I concluded to give them chase, just for amusement. My horse was quite fleet, and soon ran in among the colts and mares. Had I been accustomed then to the use of the rope I could very easily have caught one or more. However, I was merely running them for pastime, led away by excitement. After playing with them for some time, traversing considerable ground, and preparing to resume my journey, I found my saddlebags, with valuable papers, my Mexican blanket and saddle blanket, all gone. It then became necessary to cast about and endeavor to recover the things. Much valuable time had been lost in the racing, and after much more had been spent in the search, night came on and none of the articles were recovered. There was nothing to do but drop down on the prairie, with not even a tree in several miles, and camp out. Tying the horse to my saddle and laying my head upon it for a pillow, I passed the night. When morning came the search was renewed. While on the hunt I discovered a rider in the distance. I approached him, and when we met my story was told. He was very friendly, saw at once I was unaccustomed to prairie traveling, questioned me as to my running the mustangs, and finally said, "I know now where you started them; I know just how they would run;

the slough is Mustang Slough." This slough in after years I learned to know very well, for it was directly in my cow range. He remarked, "I will soon find your lost articles," and he at once proceeded to hunt the trail of the animals. Having found it he followed it up, and in a short time we picked up all that I had dropped. He then gave me directions, so that after swimming one bad bayou (Bray's) I reached Houston, a tired and better informed man than when I left. But I was soon to be still better informed. My land friend appeared in a few days and received pay for the land. I rested in security, though I had only purchased a lovely elephant, having no use whatever for it. When, however, I did think of using it, I found to my chagrin and loss that the party had no title whatever. It is true he had a paper, and may have supposed he had a title, but it was worthless. He proved also to be a worthless fellow, and I never did get a cent of my money back. I was brought up in old South Carolina, where I had never heard of a man selling anything that he did not own.

Now for the sequel to the mustang chase. Many years after that occurrence—about twelve years—I had started and was settled on my ranch. In the spring of the year my stockkeeper was on a hunt, particularly for my milch cows, of which I then owned quite a large number. He discovered that many of my most valuable milkers were held by a man living in the range some fifteen miles from my ranch. He drove the cows to the pen where the calves were, and requested that they be milked and the calves turned with them so they could be driven off. "Who are you?" was asked by the indignant fellow holding the cattle. "My name is Darwin," was the reply. "I am Mr. Lubbock's stockkeeper. You have some of his best cattle in your pen, and he wishes them driven home that his family may have the benefit of the milk and butter." The man replied, "I know I have some of his best cows up. Do you suppose I would bother with any but the best?" "Well," said Darwin, "I am not here for fun; I am here to get Mr. Lubbock's cattle. He needs them, and it is my duty to gather and drive his stock to the ranch." "Well, Mr. Darwin, my family needs the milk and butter, too, and I can not spare the cows now. I will tell you what you do. You go back to your ranch and tell Mr. Lubbock that I am the

man that found him many years ago, when he was just "green from the States," on Mustang Slough, where he had been chasing mustangs; had lost all of his papers, his saddlebags, and blankets, and did not know how to find his way to Houston. The fact is, if it had not been for me the coyotes (wolves) would have eaten him up, and he would never have lived to have a ranch. You go home and tell him what I have said." On Darwin's return he delivered the message, and I said: "That man is a truthful fellow; let him alone. If in driving you can get the cattle, all right; but never take one of my cows out of his pen. He is at liberty to milk my cows as long as I have any." I regret that I can not recall his name, for that man was a good Samaritan to me, and I had no wish to find fault when he thought my time had come to do the Samaritan act.

In those days there was a great deal of free and easy dealings with other people's cattle that was not severely criticised.

But 1837 was not long enough to cure me of all the freshness brought from the States.

All this time I was doing fairly well in my business as a merchant, and Houston continued to grow rapidly. Next we became ambitious and wanted a city. So Congress incorporated Houston as a city early in June, 1837. But organization having been delayed several weeks, we became impatient and held a meeting to expedite the matter.

Dr. Robert Marsh presided over the meeting, and Thomas William Ward acted as secretary. On motion, a committee of three citizens were appointed to wait on the Chief Justice and his associates for the purpose of forwarding the views of the citizens.

Judge Batterson, Thomas William Ward, and myself constituted the committee, and we were empowered to call the citizens together again in five days if action was not taken by the Chief Justice. This ended the matter, however, and the city was soon properly organized.

In the latter part of the summer I disposed of my merchandise. Then I determined to close up my mercantile business because I had but little capital. Goods cost high, and having bought largely on credit in New Orleans, I was desirous of paying up, which I could do by selling my store. Everybody did

not come to Texas to keep from paying their debts, as it is sometimes asserted. So I was determined to settle up and get at something else. I was an active, go-ahead fellow, striving to make a support for my young wife, and had confidence in my own exertions being capital enough for us. Very soon an opportunity presented itself for obtaining a salary.

The called session of the Second Congress convened in Houston in September, and through the acquaintance and friendship formed with a number of the congressmen, I was chosen assistant clerk of the House of Representatives. This employment suited me, and the pay (\$1 per day), though not large, supported us well, as people were supported in those days. This called session extended nearly to the regular session of the Second Congress, which met on the 5th of November.

I had made rapid proficiency in my duties as clerk, and I was, on the organization of the House, easily elected chief clerk. I was much gratified to know that I had so satisfactorily performed my duties that my friends in the House deemed me worthy of promotion. I am glad also to add that my worthy predecessor, Judge Fairfax Gray, much older than myself, a good lawyer and reliable citizen, soon become secretary of the Senate.

During the time of my clerkship I worked night and day. I did my very best on my duties as clerk, and at the same time I was taking in Masonry as fast as I could. Both of my grandfathers as well as my father were Masons—my grandfather Lubbock a distinguished Mason. So my predilections in that direction began with memory and fondness for them and led me very naturally to seek admittance at an early day into the ancient and honorable order.

I have always volunteered a little advice to married men seeking admission into our lodges. Tell your wife and get her consent. Most women until they understand the object and aims of Masonry are opposed to the order, mainly because they know that married men are kept from home and their families and frequently quite late at night. They also see, unfortunately, as is too much the case, dissipation in some who are recognized as good Masons. My wife had been reared with great prejudice against the order, although her father had been a member. He

however, was a Catholic, and late in life, becoming quite religious, gave up his Masonry as required by the rules of this church. Knowing these facts, I dreaded to make my wife unhappy, and kept all knowledge of my doings on that line from her. We were in our little home alone, except for the occasional presence of my brother. My duties as clerk of the house kept me out quite late at night preparing for the morning's work. At the same time the lodge was busy making new members, and as secretary I was compelled to give my labors in the early part of the night to the lodge, which required me at times to spend nearly all night working up the clerk's business.

This was unkind treatment to my devoted wife, for she thought my time was occupied in my public duties. When she finally learned the facts of the case, it was a terrible blow to her. I have never since doubted that had I confided in her she would have given her consent and all would have gone well. As it was, her prejudice became greater, and to this cause more than any other must I attribute my non-advancement at this period in the order. For I was fond of the work, loved my lodge and my brother Masons, and it is often a source of much regret on my part that I should have failed in Masonic promotion and distinction. So after my experience I always say, "Confide in your wife; she is your best friend; she is true when all others fail you." My wife never softened towards Masonry until in 1865.

While I was chief clerk of the House of Representatives President Houston was occupying a small rough log cabin about twelve by sixteen feet, with probably a small shed attached. There was no fireplace—nothing but a small clay furnace in the room for him to get over and warm his fingers, Indian fashion.

The question of securing a residence at once for the president was proposed in Congress, the friends of the measure urging the immediate necessity in consequence of his great discomfort. The government was about to issue a new currency. To the committee appointed to purchase a residence I proposed to sell for \$6000 my store, a large old-time one-story house and a half story above, with dormer windows, if they would pay me for it out of the first money issued, so that I could remit at once to New Orleans. I made the sale. I then remitted and paid my debts with

the money at par. In a short time the issue went down to eighty cents on the dollar.

This house of mine thus sold to the government for an executive mansion of the Republic was on the corner of Main and Preston Streets, and built by Capt. R. P. Boyce for my storehouse.

During the next spring, Congress voted \$3000 more for repairs; and when Lamar became President there was an additional appropriation of \$5000 to complete, repair, and furnish the executive mansion. As the capital was removed to Austin in the fall of 1839, President Lamar did not occupy this building long.

There was in the fall of this year (1837) much sickness among the members of Congress, caused as I believed from the use of the bayou water, which I thought impure. Having been accustomed all my life to the use of rain water, I proposed to the Congressmen that if they would furnish me with \$500 I could procure for them in a very few days, from New Orleans, cypress cisterns with the capacity of 10,000 gallons, and that would afford them an abundance of good drinking water, healthy and palatable. My offer was accepted, and the cisterns were received and put up promptly. In a few days they were filled with excellent water, which had a fine effect upon the health of the members and proved a great benefit.

A meeting of patriotic citizens was held on November 13, 1837, in the capitol, to express their views on the subject of the currency of the Republic. The officers were Maj. I. N. Moreland, chairman, and Jas. W. Scott, secretary.

The committee on resolutions, composed of Anson Jones, T. J. Rusk, Thos. W. Ward, Geo. Sutherland, Wm. Lawrence, F. R. Lubbock, and A. C. Allen, reported:

"1. That in the opinion of this meeting the treasury drafts of this Republic so long as the government shall confine their issue within the range of actual resources of the country, will constitute a safe, valid, secure, and convenient circulating medium greatly superior to the average of the bank notes of foreign banks with which this country is flooded, and which heretofore have constituted our only circulating medium.

"2. That in the opinion of this meeting said bank notes are

unsafe, most of the banks whose notes are circulating here having suspended specie payment, it also being uncertain when they will resume them, and probable at least that many of them never will.

"3. That in the opinion of this meeting, said banks having violated their promises of payment are in fact public *frauds*, and the circulation of their notes ought not to be encouraged in this country, as it will expose our citizens to great and disastrous losses whenever the final situation of many of those banks shall become known.

"4. That being convinced of the truth and justice of these facts, the members of this meeting will use every just means in their power to encourage the circulation of the paper of our own government to the exclusion of any other currency except gold and silver.

"5. That we recommend the same course to our friends throughout the whole country, and call on their patriotism to sustain it.

"6. That the proceedings of this meeting be published in all the newspapers throughout the Republic."

Which report, after able and conclusive speeches from the Hon. T. J. Rusk and others, was unanimously adopted.

On motion of Gen. T. J. Rusk, it was "Resolved, that we have full confidence in the resources of the country to do strict justice to the soldiers and sailors, and therefore recommend respectfully to the Congress to pay them in the best paper issued by the government."

Before the end of this session of Congress E. M. Pease, since well known in our history, resigned his office as Comptroller to form a partnership with John A. Wharton and continue in the practice of law in Brazoria. John W. Harris was added to the firm next year, and it then was considered one of the ablest in the Republic. Mr. Pease came to Texas in 1835 and first served as a soldier, and was afterwards appointed secretary of the Provisional Government at San Felipe. In 1836, he was a clerk in the Navy, then in the Treasury Department. He was quite distinguished for one of his age when he retired from the office of Comptroller.

To my surprise President Houston offered me the appoint-

ment of Comptroller to succeed Pease. There were several applicants for the office, some of them men of experience in the service, and why it was tendered to me, just entering upon my majority, I never knew. No letters of introduction or testimonial of character were presented by me to General Houston upon my first arrival in the country, when our acquaintance began. Afterwards, while I was clerk of the House of Representatives, we were often thrown together. I became attached to him, and he appeared to like me. Houston was always kind to young men; most certainly he was in a great degree to me. Yet I had no reason to expect any great favor, especially as I was not an applicant for the office.

The appointment was accepted, however, and I immediately began work as Comptroller. The duties of the Comptroller during the Republic were quite similar to those now performed by the State Comptroller. Then there were two auditors, the first who examined all military accounts; the second, all civil list accounts. When so examined and passed upon as correct they were handed to the Comptroller for his examination and approval, and if found correct, his warrant was drawn upon the Treasury for the amount due. There being now no auditor, the Comptroller examines and passes upon all claims of every character, and when adopted the accounts are approved and he draws his warrant against the proper appropriation upon the Treasurer, who pays the same when in funds.

Congress passed a law authorizing the holders of the floating debt to fund their claims in what was termed a stock fund to draw 10 per cent interest, and created the office of Stock Commissioner, who issued and signed the stock certificate; and the extra duty was placed upon the Comptroller to countersign the certificates. After quite a number of certificates had been thus countersigned, the question was raised as to the authority of the Comptroller to affix his signature to these certificates. A law was then passed validating the acts of the Comptroller in the matter. My particular friend, the gallant W. G. Cooke of the New Orleans Grays, was the first stock commissioner appointed under the law.

When appointed Comptroller I was about 22 years of age, and of course I had no great experience. I had to be very, very cau-

tious in my decisions; for while wishing to be just, I was sworn to protect the interest of the Republic, which means the people's interest. Many accounts had to be revised and readjusted. However, I recollect but one prominent case that caused any feeling. Colonel M—, an officer in command at Galveston, had his account approved by the first auditor. Upon its presentation to me, I found quite an amount for hospital stores, including the list of articles only allowed for hospital use, such as whisky, butter, eggs, and other delicacies. The law was positive that an account of that character must have the certificate of the hospital steward that the articles were received by him and used in the hospital. This account lacked such certificate; therefore I was compelled to reject it. The officer contended that his certificate should be recognized as sufficient. I refused positively to pass the claim, and it remained in that shape till I left the office. He may have afterwards cured the defect and collected the money.

This office made me the associate of men whose minds and attainments I respected and admired, and I certainly strove with all my might to be equal to the honor. It was a time of brightness in my life that was not surpassed by any other period. The drudgery work was hard, but that fell mainly on my two clerks. The salary—\$2000 per annum—enabled us to mingle in society.

I had a comfortably fitted up little home, a lovely wife, and for servants two Mexican prisoners. I could entertain my friends in a quiet way, among them the President, Mosely Baker, Dr. Ashbel Smith (Surgeon-General of the army), the Allens and others, men of distinction and culture, as well as many a jolly good fellow that laughed at the difficulties of life. In truth, society in Houston at that early day, mixed though it was with some rough characters, and without the sheen of later day finery, was just glorious; and I was young. I wonder if I am yet old.

As indicating the culture of the Republic I would instance the Philosophical Society of Texas, organized about this time with Mirabeau B. Lamar as president; Ashbel Smith, Anson Jones, Joseph Rowe, and David S. Kaufman, as vice-presidents; Wm. Fairfax Gray as recording secretary, and David G. Burnet as corresponding secretary. This society dissolved, I believe, on the next removal of the capital.

CHAPTER FOUR.

War Meeting in Houston—General Albert Sidney Johnston—General Houston as the Author then Viewed Him—Difficulty with Colonel Ward—Visit to Mrs. Powell's—Presidential Candidates—Anecdote of Rusk—Preachers and Churches—"The Glorious Fourth" at Galveston in 1838—The Bonnell Expedition—Houston's Administration; Its Work—Lamar President—My Experience as a Granger.

The report of a Mexican advance on Bexar, from Captain Karnes, caused the war meeting at the capitol, December 26, 1837. General Albert Sidney Johnston had just arrived from Kentucky.

Col. A. S. Thurston was chairman, and Francis R. Lubbock, secretary.

Gen. A. Sidney Johnston, Colonel Morehouse, Dr. Ashbel Smith, Major Moreland, Francis Moore, Jr., Hon. B. C. Franklin, and Colonel Thurston were appointed the committee on resolutions, and reported the following:

"Whereas, the recent intelligence from Bexar has fully impressed upon our minds the necessity of adopting the most prompt and energetic measures for conveying aid to our fellow citizens of Bexar and for repelling the treacherous enemy; and further, for projecting upon his country the calamities he intended for us; therefore, be it

"Resolved, that a committee of vigilance be instantly appointed to aid and assist all who may wish to hasten immediately to the field of action, and to solicit the necessary means for procuring supplies of provisions, arms, horses, etc., for this important object.

"Resolved, that a committee of correspondence be also appointed to communicate with the citizens of the various cities and towns of the Republic, in order that by a concert of action the whole effective force of the Republic may be brought into the field as soon as possible and enabled successfully to repel the invaders from our country.

"Resolved, that since Mexico, regardless of the example of moderation and forbearance which has been set by our govern-

ment, which, by disbanding the army, evinced our sincere desire to turn our swords into plowshares and prepare for peace, has wantonly invaded our country and commenced the slaughter of our citizens, knowing that the injuries thus inflicted could not be in the least beneficial to her; therefore, we consider every Texan and friend of liberty bound by duty to prosecute an offensive war against Mexico until the last vestige of tyranny shall have been swept from her limits.

“Resolved, that we hold all our means and our personal services at the disposal of our government, to enable it to prosecute vigorously, and to an immediate and eternal termination, the war with Mexico.”

On motion of Andrew Neill it was

“Resolved, that all who desire to proceed immediately to the aid of Karnes and Wells will assemble in front of the capitol to-morrow morning at nine o’clock.”

In accordance with the above resolutions, the following committees were appointed:

Committee of Vigilance.—A. M. Tompkins, William Lawrence, W. G. Cooke, A. C. Allen, James S. Holman, B. Fort Smith, I. N. Moreland, D. C. Stanley.

Committee on Correspondence.—Dr. Ashbel Smith, Francis Moore, Jr., Hon. B. C. Franklin, Arch Wynns, General Mosely Baker.

On motion the thanks of the meeting were returned to Messrs. Davis, Borden, Ephraim, and Phillips for their several donations.

On motion of Mr. Stickney, the proceedings were ordered to be published.

Gen. Albert Sidney Johnston having been appointed to command on the frontier, immediately issued the order below to rendezvous on the Colorado, and after a few days of preparation and consultation with the Secretary of War, set out for the seat of war:

“HEADQUARTERS, CITY OF HOUSTON, December 28, 1837.

“General Order No. 1:

“The commanding general having been instructed by the Secretary of War to take charge of the military operations on the

western frontier, orders that such portion of the militia as has been called into service and the volunteer companies that have been accepted for service by the War Department, shall rendezvous as promptly as practicable at Mercer's ferry, on the river Colorado.

"Colonel Hockley, of the ordnance, will provide the artillery and ordnance stores requisite for the command, and repair to headquarters without delay. By order of

"BRIG. GEN. JOHNSTON,

"Comm. Texan Army.

"B. H. JOHNSTON, Aid-de-Camp."

The Mexican scouting party retired on the advance of Johnston and the campaign virtually ended.

No person ever met Sam Houston in the early days of the Republic without being impressed with his greatness. He was then about forty-two years of age, just the prime of life. Standing largely over six feet in height, with a massive, well formed hand, a most remarkable foot, measuring more around the instep than in length, a large head, a piercing gray eye, a mouth and nose indicating character, of fine proportions, and as straight as a majestic Indian, he was a most perfect specimen of physical manhood. With such a presence we can well understand that upon state occasions his manner was graceful and courtly. But more to be admired than this, among his friends he was social and agreeable, with the ladies most suave and deferential, and towards the young always kind, interesting, and assuring. Often while in conversation with ladies and children he would carve a perfectly shaped ring, heart, chain, cross, or other emblem, and tender it to some of the party. He was quite fond of whittling, keeping in his pocket soft pine or cedar and a good sharp knife for that purpose; and the making of these little presents was a pastime for himself, and by those who received them they were treasured mementoes.

Outside of his social circle on public occasions he drew the multitude to him by the power of his oratory. No man ever listened to him that was not desirous of hearing him again. The charm of his imposing presence and impressive manner drew

the people to him, and he knew full well how to hold and entertain them.

He was not a finished scholar—not a student of books; he was, however, a thinker—a student of men and things. In Texas he proved himself first a soldier of great ability and then a statesman. No one at all conversant with his character will



SAM HOUSTON.

controvert this proposition. If you will but scan the history of Texas and follow his career from 1835 to 1846, you can but be impressed with its truth. It is clearly demonstrated in San Jacinto and the treaty with Santa Anna following that victory, especially in his insisting that the President of Mexico should be allowed to depart from the country against the protest of many officers and soldiers of the army, the result following the release of Santa Anna proving the wisdom of his decision.

Then again the furloughing of the army of the Republic of Texas in 1837 was one of the most marked evidences of statecraft I have ever known.

He was confronted with the fact that he had in their camps some twenty-five hundred men, mostly without families and homes, volunteers from abroad; in other words, adventurers, soldiers of fortune led to Texas with the view of warring with Mexico, all unoccupied and poorly provided with clothing and provisions, restless and clamoring for action.

President Houston and the more conservative men of Texas were satisfied with the victory at San Jacinto, and they were willing to hold the country they had, and to let Mexico alone if she would keep her armies off our soil. The great question with the President therefore was how to get rid of these soldiers. This he did by a judicious system of furloughing.

Though I came to the country at an early period and mixed with soldiers and every class of people and engaged in various kinds of business—merchandising, ranging, politics, and ranching—I had managed to escape any serious personal difficulty up to the time of the trouble with Col. Thos. W. Ward. Ward did not come up to my idea of right in a business transaction between us. I abused him publicly. He then challenged me, Major Izzard bearing the message. I referred him to my best friends, Wm. M. Shepherd, Secretary of the Navy, and Col. Wm. G. Cooke, then Stock Commissioner of the Republic, to get them to make all necessary arrangements for the affair. Colonel Cooke said at once, "Ward can not fight Lubbock until he fights me. He is under obligations to fight me, and I do not propose to relieve him. The same reasons exist for his not fighting Lubbock as for his not accepting my challenge, namely, that he is in debt and under a large bond for building the capitol and he therefore can not honorably risk his life until the obligations are settled." So it was decided that I should ignore the challenge. Ward then said publicly that he would chastise me and make me apologize for my abuse. I immediately prepared myself for him. I had to pass his house every day, and I carried a derringer in my pocket and another pistol in my belt, a not unusual thing at that time.

The difficulty occurred April 14, 1838, immediately on the adjournment of a joint session of Congress to hear read the President's message, and "in view of the Senate." I was in at-

tendance with Mrs. Lubbock on this occasion. The ceremonies concluded, without even procuring my hat, I passed out with Mrs. Lubbock to the carriage, and was returning to my office, when Colonel Ward, taking advantage of the public day, made the assault, striking me with a stick. I drew my derringer and fired. The pistol was struck up by Col. Cooke, causing me fortunately to miss my man and do no hurt to anyone in the immense concourse. We were immediately arrested by the city authorities. Dr. Francis Moore, being present, placed me under bond. We were also separately taken before the Senate under a charge of contempt and allowed to defend ourselves. On my explanation, I was exonerated and allowed to go; but Ward was reprimanded by the speaker.⁶ Thus the trouble ended. We

⁶ The Senate Journal, pp. 9, 10, Monday, April 10, 1838:

“On motion of Mr. Russell the following resolution was submitted:

“That the sergeant-at-arms be required to arrest the persons of Thos. W. Ward and Francis R. Lubbock and bring them forthwith before the bar of this house for trial for an act of contempt committed on Saturday last. . . .

“Mr. Francis R. Lubbock was brought to the bar of the Senate by the sergeant-at-arms, under the warrant of the president, upon a charge of contempt of the Senate for firing a pistol at Thomas W. Ward in the gallery of the capitol, in view of the Senate.

“The president stated to the accused the charge on which he was arrested, and asked what he had to say in his defense.

“Mr. Lubbock addressed the Senate in explanation of the circumstance.

“On motion of Mr. Russell, it was ordered that F. R. Lubbock be honorably discharged from his arrest.

“The sergeant-at-arms reported that Thomas W. Ward had locked himself up in his house and refused to be arrested or seen. . . .

“Thomas W. Ward was brought to the bar of the Senate by the sergeant-at-arms upon a charge of contempt, for making an assault on Francis R. Lubbock in the gallery of the capitol.

“The president informed the accused of the charge and asked him what he had to say in his defense.

“Mr. Ward addressed the Senate in explanation of the circumstances attending the occurrence. . . .

“On motion of Mr. Russell, amended by Mr. Everett, it was resolved that Thomas W. Ward be reprimanded by the president for the contempt manifested by him to this house in making a personal assault

subsequently agreed to be friends. While Colonel Ward was a passionate man, he was a patriotic citizen and a good soldier, having lost a leg in the storming of Bexar. Afterwards he filled the office of Land Commissioner for several years with credit to himself and benefit to the country.

Of course, a challenge from a proper party in those days could not be safely declined. As it turned out, however, I never was a principal or second in a duel. The Fourth Congress effectually broke up the "inhuman and detestable practice" in 1840, by an act to suppress dueling. The penalty on conviction was a fine of \$1000, twelve months' imprisonment, and perpetual disqualification for any office of honor, trust, or profit in the Republic. This punishment applied to principals and seconds alike. Incapacity to hold office had such terrors that dueling became a thing of the past in Texas.

In the spring of 1838, Mrs. Lubbock, with the accomplished wife of John G. Welchmeyer, the second Auditor of the Republic, and myself left Houston early one morning on a visit to Mrs. Powell, who lived about fifty miles distant across the Brazos. The ladies were seated in a fine old-fashioned, two-wheel vehicle then called a gig. It had a good leather top and was in every way suitable and comfortable for the occasion. The horse drawing the gig was a large, gentle, and quite valuable animal. I was mounted on a good Texas pony. After traveling eighteen or twenty miles, we stopped to "noon" at one of the Hodges', near Hodge's Bend, on the Brazos. A part of the refreshments was some rich, cool, and delicious buttermilk, in drinking which we all joined heartily. But I got more than my share, having drank seven large tumblers full. The afternoon ride on my hard-trotting pony, determined to keep up with the fast-going gig, was almost unbearable, as it seemed to me that I was transformed into a churn full of buttermilk, and that I was re-churning the milk by my hard jolting. After realizing my situation, the ladies were induced to "slow up" in their driving,

upon a citizen, in the gallery of the capitol and in view of the Senate.

"The president accordingly reprimanded the accused, and he was discharged."

and I thus managed to pull through to Mrs. Gen. James Long's plantation, near Richmond. That distinguished lady treated our party with her usual hospitality.

After a fine country breakfast we continued our journey, arriving safely at Mrs. Powell's about noon. We received such a welcome as the old Texans always gave to their friends. Very soon we all felt perfectly at home, and it is easy to understand that for awhile the family were entertained with jokes at my expense about the buttermilk. Mrs. Powell had living with her then two sons, a widowed daughter, Mrs. Kelsey, a great favorite of ours, and a single daughter. Their time was most delightfully spent at this beautiful home, for everything there was bright and cheery.

The next day all the ladies took a ride out over the prairies, I attending them as usual on my pony. Encountering a pretty little creature (that turned out to be a skunk) playing on the prairie, I got the whip from the gig and tried to have some fun with the animal at long range. It is needless to say, perhaps, that the skunk proved to be better at long range than I, even with a whip; and I quickly drew off in bad plight, to the amusement of the ladies. When I got back I was met at the gate by Mrs. Lubbock with other clothes and orders to retire to an out-house close by and make the necessary change before showing myself in the household.

Afterwards I consoled myself with the thought that, though somewhat verdant myself, I was not as much so as Algernon P. Thompson, a distinguished lawyer of Houston. This gentleman, when fresh from England and before learning the ropes, met one of these pretty creatures for the first time, and not knowing its nature, took it up in his bosom without ruffling its temper and presented it in hand to a lady who knew the difference in cats.

The intelligent student of Texas history will not fail to note that this was the Mrs. Powell in whose house Filisola held a council of war after concentrating his army a few days subsequent to the battle of San Jacinto. It was the unanimous verdict of the council of war to fall back and get out of Texas as fast as possible. So the famous retreat of the Mexican army began,

never to halt on the east side of the Rio Grande. Mrs. Powell was a true Texan and retained a vivid recollection of Generals Filisola, Urrea, and Gaona, who staid over night at her house. She also saw Santa Anna and Almonte on their march to Harrisburg.

After a delightful visit of several days we set out on our return home from Mrs. Powell's. We held up for dinner in the Brazos bottom, so as to give our horses a chance at the wild cane there. The ladies kept their seats in the gig, to which the horse remained hitched. In dropping the bits from his mouth, I carelessly let the bridle fall from his head and he darted out at full speed, dragging me with him, till the gig ran over a stump and was upset, spilling out the ladies without any serious damage to them. The gig was so badly wrecked as to be a complete loss. We repaired to a neighboring house, and thence procured conveyance to Houston.

Although Comptroller of the Republic, I was, it would seem, only an inexperienced youth. I profited, however, by my experience, and probably some of my young friends can see it, too. (Mem.): Never take more than two glasses of buttermilk at one time. Never take the bit out of your horse's mouth when he is hitched to a vehicle containing the wife whose life is as precious as your own; and most emphatically never fight a skunk, much less take him to your bosom like my friend A. P. Thompson, and present him to your girl.

Returning to politics, the preliminary steps for bringing out candidates for the ensuing presidency began early in the winter of 1837-38.

Lamar was first called out as a presidential candidate in a card published in the *Telegraph* and signed by such prominent men as S. H. Everett, J. S. Lester, I. W. Burton, W. H. Wharton, Emory Raines, A. C. Horton, John Dunn, S. C. Robertson, D. Rowlett, G. W. Barnett, and Ed T. Branch. His reply was: "I do not feel at liberty to decline the duties of any station, however high and honorable, to which the voice of my fellow-citizens may call me."

Lamar had not been slow to express his dissent from Houston's policy of dealing with the Mexicans and Indians, and this was

enough to rouse the partisans of Houston as they desired his policies unchanged, whether their favorite was president or not.

The Constitution of the Republic did not allow a president to hold two consecutive terms of his office. Therefore "Old Sam" was out of the race, and it only remained to find a presidential candidate in harmony with Houston's views.

The Houston party was opposed to the election of General Lamar because they believed he would inaugurate distinctive measures not likely to be so beneficial to the Republic.

Houston's policy was one of moderation, economy, and unostentatious work for the good of the government. His idea was that Texas had accomplished wonders, and that the people, satisfied to maintain her independence and hold the territory she claimed, should be willing to remain quiet, looking to the increase of population and advancement of her material interest, making themselves day by day stronger for an emergency. Consequently he was opposed to all measures looking to an invasion of Mexico.

His policy towards the Indians was friendship, believing that with our want of funds and men, more could be accomplished by treaties and fair dealing with them than by continual warfare which must result from aggressive measures.⁷

Democratic in his manners, ideas, and customs, he was opposed to any extravagant expenditures in governmental affairs.

Houston's friends believed that General Lamar, while a patriot, brave, honest, and devoted to Texas, was poetical and visionary, without rearing or experience in statecraft, disposed to be extravagant in his ideas of conducting public matters, not appreciating the poverty of the country, in favor of an aggressive policy both against Mexico and the Indians, and that his principal advisers and closest friends were enemies of Houston and his policy, thus binding him to an opposite course.

Fearing this would retard the growth of the country and in-

⁷ Dr. Wm. Preston Johnston, of Tulane University, in his "Life of General Albert Sidney Johnston," his father, calls Houston's policy towards Mexico a do-nothing policy, and not a *defensive* policy, as claimed for it. A short time before his death, ex-Governor O. M. Roberts in a conversation on the subject with the Editor, said that Johnston's characterization of Houston's foreign policy was eminently just; and further, that it was a wise policy.—EDITOR.

volve it in difficulty and debt, they proposed to select a candidate for the presidency favoring their own views.

There was a large and enthusiastic meeting of the friends of General Rusk at Houston about the middle of May. I. N. Moreland presided, and I acted as secretary. I was also put on the committee on resolutions, the other members being Anson Jones, W. M. Bronaugh, Wm. G. Cooke, Henry Millard, and T. F. L. Parrott. Vigorous resolutions were then adopted, recommending General Rusk as a suitable man for the presidency, and calling upon him to be a candidate. The chair then appointed three committees from the eastern, middle, and western districts respectively, to wait upon General Rusk and present him the said resolutions. He was then at the capital as a member of Congress. Rusk promptly answered the call in a courteous letter acknowledging the honor, but declining on account of his financial embarrassments and alleged ineligibility, not having attained the constitutional age of thirty-five; and for the further reason stated in his correspondence with General Lamar the year before, indorsing Lamar's candidacy.

In the meantime Lamar's friends were not idle. They held on May 19th a meeting, of which Dr. B. T. Archer was president and I. W. Burton secretary. Their committee on resolutions was composed of such strong men as Dr. S. H. Everett, Gen. K. H. Douglass, Maj. George Sutherland, Judge R. M. Williamson ("Three-Legged Willie"), and Maj. Jas. D. Cocke. The latter made a stirring speech; after which, on motion of Dr. Forest, seconded by Judge Sterne, the resolutions favoring Lamar's candidacy for the presidency were unanimously adopted. One notable resolution was of congratulation to the public, "that Generals Rusk and Lamar will not be rivals in the approaching canvass for the chief magistracy."

A few days later another Lamar meeting was held. In this Maj. William Kimbro, Col. B. L. Hanks, E. W. Cullen, Col. K. L. Anderson, Col. L. H. Mabbett, A. W. Canfield, and Col. Isaac Campbell made up the committee on resolutions, W. G. Anderson acting as president and W. W. Parker as secretary.

The distinguished names above mentioned will indicate the strength of Lamar's acceptability.

When Rusk declined the nomination for the presidency it be-

came necessary to select some one else as the candidate of the Houston party. Accordingly Peter W. Grayson, a good lawyer and popular man, was called out as a candidate for the presidency by a committee of thirty-one prominent citizens. He accepted the nomination tendered him and made a visit to Kentucky. He was expecting soon to return and enter upon his canvass. In a few weeks, however, the sad intelligence came that he had put an end to his own life, as alleged at the time from disappointment in a love affair. Thus the Houston party was again frustrated.

Chief Justice James Collingsworth was the next Houston candidate for the presidency, but during the canvass committed suicide by jumping overboard from a vessel in Galveston Bay.

Robert Wilson, who made such a racket in the Senate, was the last candidate to announce himself as against Lamar for President. Lamar had a walkover, getting 6695 votes, while Wilson got only 252.

It was said at the time that Rusk was influenced in his decision not to be a candidate by the probability that General Lamar would view it as an unfriendly act upon his part and that it would result in a personal difficulty, particularly as in 1836, though without any solicitation on his part, he was preferred by the army as their commander over Lamar. Rusk was a grand man. He not only had a great intellect, but he was amiable, kind, and considerate, and it is highly probable he disliked to interrupt the kindly relations existing. I am pleased to record the fact that I offered his name for the place of chief magistrate, for history must give the verdict that Texas could not bestow too much honor on Rusk, equally distinguished as a citizen, as a soldier, and as a statesman. As an illustration of his unremitting toil and energetic action for Texas in the day of her extremity, this anecdote, authenticated by Gov. O. M. Roberts, is told of Rusk:

"The night after the organization of the government ad interim under Burnet a council was held. Burnet, in a dignified manner, called on one after another for an expression of opinion, coming last to the Secretary of War, Rusk, who, with his elbows on his knees and his head resting in his hands as if meditating, was actually fast asleep, as he had been at work night and day

for three days on the Constitution. Punched in the ribs by the gentleman next to him, he brought himself to the perpendicular and said: 'I think we are in a hell of a fix. We are worked down. Let's go over to the saloon and get a drink, then mount our horses, and go and fight like the devil and get out of it.' They went; Rusk went all of it."

In the general rush for Texas were included many preachers, whose lives in some instances did not tally with their profession. To guard against imposition on that line, a kind of preachers' vigilance committee was organized at Houston during the first session of Congress in the town. Dr. R. Marsh and Z. Morrill, Baptists from Alabama, appeared to be the leaders in the movement. The other members were W. W. Hall, a Kentucky Presbyterian, and three Methodists, to wit, W. P. Smith of Tennessee, L. I. Allen of New York, and H. Matthews of Louisiana. This body pledged themselves to recognize as such no preacher coming into Texas from the United States or elsewhere unless he had with him a testimonial of good character. Among the preachers coming in after this was Littleton Fowler, elected chaplain of the Senate in the fall or winter of 1837. He was a zealous Methodist, and a preacher of considerable ability. It was Mr. Fowler who obtained from the Allens for the Methodists the title to the half block of ground on which Shearn Church now stands.

In the spring session of Congress of 1838, Wm. Y. Allen, a Presbyterian, acted as chaplain during Mr. Fowler's temporary absence. We shall hear of him again in the annexation movement.

Among other distinguished Methodist preachers of this period with whom I was intimately acquainted was Dr. Orceneth Fisher. His widow, Mrs. Rebecca J. Fisher, is now the honored president of the W. B. Travis Chapter of the Daughters of the Republic at Austin.

It may not be without interest to note here that the Presbyterian Church was organized on the last day of March, 1839, in the Senate chamber at Houston, by Wm. Y. Allen.

The basis of organization—that is, belief in the Holy Scriptures, the adoption of the Presbyterian Confession of Faith, and the form of church government and directory for worship—

being agreed to, the following names were appended: A. B. Shelby, J. Wilson Copes, James Burke, Isabella R. Parker, Ed Belden, Marian Shelby, James Bailey, Sarah Woodward, Jennett Smith, Harris G. Avery, and Sophia B. Hodge. James Burke was elected ruling elder. Mr. Allen continued as pastor of this church till 1842.

In these early days of the Republic a very friendly feeling existed between the inhabitants of the Magnolia City and those of our great island seaport, and excursions to and fro between them were not uncommon. In May, 1838, a party from Houston, including the President, many Congressmen, and other distinguished officials, made a steamboat run down to the Island City, where they were royally entertained. On their return up the bayou several of the excursionists evinced by their words and manners that they had partaken too freely of the festivities.

But the big social event that year between the two cities was the Fourth of July celebration at Galveston, to which the Houstonites were invited by a polite note from H. H. Allen, corresponding secretary of the Galveston committee, addressed to Messrs. A. Ewing, Geo. W. Poe, D. B. Townsend, J. W. Cruger, and — Niles. The Houston party, composing the elite of the city, were gratuitously transported to the Island City on the steamer *Sam Houston* by the courteous Captain O'Brian. It is not at all improbable that there were some excesses indulged in on that occasion; but much is to be overlooked in these old Texans who carried with them beyond the borders of their native land their unquenchable love of liberty. The Fourth of July demonstration on Galveston Island in the year 1838 proved to the world that the Texans had not ceased to be Americans, and that annexation to the United States sooner or later was inevitable.

In the fall of 1838 the Indians were killing people and depredating on the Brazos about the falls near where is now the town of Marlin, and in the present counties of Brazos and Grimes. They came as low down at times as Navasota, only seventy miles from Houston. These savages became so troublesome that the government determined to put a battalion in the field to chastise them, and Maj. Geo. W. Bonnell was appointed to the command. The Milam Guards, a military company of Houston, vol-

unteered for the time—three months—and made part of Bonnell's battalion. As I was a charter member of that company, and then acting as Comptroller, I obtained from the President leave of absence to go with them. In compliment to the Milam Guards perhaps, as well as to myself, Major Bonnell appointed me his adjutant. The office was not a sinecure or easily filled, as some military knowledge and business tact were prerequisites for the proper discharge of its duties. I had been a holiday soldier since my sixteenth year, but this was my first experience in the field, and a rough one it was.

Major Bonnell was a young man of more than ordinary ability and information. I am not aware that he had acquired any special military experience, and I must say that his first appearance as our commander in chief did not impress the men that he had any special fitness or aptness to command a set of raw Texas boys. He was of medium height, with red hair and freckled face under a slouched hat, and he came into camp in a very long coat reaching nearly to his ankles, making quite a priestly appearance, and but for a belt around his waist and a long old sword dangling thereby, he looked less like a frontier soldier than any of us, though there was no uniformity of dress in the battalion, each one wearing what he could get as most appropriate for a hard winter campaign. Our major, however, made us a good and intelligent commander to the end of the expedition. Subsequently he was Spanish translator in the Land Office at Austin. While here, he wrote a little book about the Indians of Texas.

A peak near the capital still bears the name of Mount Bonnell, so called in his honor. He attended the Mier expedition as a private, and was killed on the Rio Grande.

We left Houston in a very wet and cold time, and in a few nights afterwards we encountered a dreadful and disastrous sleet. We were without tents and suffered fearfully; however, we got on well, having very little sickness in our command.

After a few days' march a courier arrived with orders for us to change our destination and report to General Rusk at or near Nacogdoches to punish the Cherokees, who were becoming very hostile. Just before reaching Nacogdoches another courier reached us with the information that General Rusk had all the men he required, and we were ordered to return and proceed

to the Brazos as originally instructed. We were quite disgusted at this command, for we felt assured the Cherokees would fight and there would be an opportunity to gain a little military glory—a kind of glory that most Texans desired in those days. But all the same, let it be understood, we were no holiday soldiers, but men doing hard service with long, rough marches, often hungry and thirsty and tired and sick and in rags, and not knowing when we might encounter an ambushed savage eager for our scalps.

In starting out I had made for me a pair of fine buckskin pants such as worn by frontiersmen. Once, while out scouting for several days with a small party, we were overtaken by a heavy rain storm when in our camp asleep. I was lying in a low place, so that the water ran against me in a flood, saturating my buckskins. Not thinking of the consequences, and being very wet and cold, I backed myself up to a hot mesquite fire made up to dry and warm us. Before discovering it, my pants had crawled up to my knees, and I had to ride in that plight a day or two. They got tighter and tighter all the time until we reached the main camp. Then I had in a manner to cut them off my limbs. I have never owned a pair of buckskin pants since. They are more entertaining in a picture or a romance than they are on one's own shanks.

We had several amusing incidents to occur during our march towards the east. While plodding our weary way we overtook a lone horseman and inquired of him if we were pursuing the best road to reach a proper camping place at night. He very promptly informed us that we were wrong and advised us to take another course. After following his advice and traveling a few miles we fell in with a party of whom we made inquiry. He said to us emphatically: "The man that directed you misinformed you intentionally. Had you kept the course you were traveling it would have taken you to his place, and the best and shortest way, and you would have camped there. That was what he did not want you to do."

After getting proper directions we determined to camp that night with our false guide. Arriving about dark, after selecting our camp ground the quartermaster and commissary called on our friend, to his utter astonishment, and requested that he

would furnish us a beef. His reply was that he had none that could be gotten at that time. The quartermaster then said to him, "We will make out with hog meat." He insisted that he did not have a hog. The quartermaster then told him he would be compelled to send a detail to scour the country, as we had no rations, expecting to get them from the settlers. He then determined to get ahead of us, and said he would take a hunt and see what he could do. After an absence of several hours he returned, bringing with him an old stag beef that was quickly butchered, but the meat was so offensive from what is known as wild garlic that the animal had grazed upon that the men could not eat it, as they were not starving. One can imagine that we were angry—red hot. I had in my mess the bugler of the command. He was quite a smart fellow and an old soldier. I said to him, "Battinger, should any hogs come around the camp call me, and I will have pork for our mess to pack off in the morning." I knew he could take the hide off so that a porker would be very good "slow bear," as we called skinned hog meat.

About daylight I was called. Some very good shoats were about our camp. I stepped out with my large bored rifle and fired; the pig dropped, and the bugler soon had him skinned, cut up, and divided among our mess preparatory to leaving the camp. A few minutes afterwards our friend appeared, remarking, "I see the boys are killing my hogs," and addressed himself to me. I replied, "You stated to the quartermaster that you had no hogs." "Oh, I meant that I had no killing hogs." We paid no attention to him, but about the time we were starting off he wanted pay. We badgered him, refusing to pay for what he said he did not own. He followed us for miles. Finally we felt sorry for the fellow, and the quartermaster gave him a receipt. I presume he got his money without interest after annexation.

At another time, when in the neighborhood of Nacogdoches, just before receiving orders to retrace our steps, we were about to select a camp ground, when the proprietor of the place came out and advised the commanding officer that if he would go a very short distance he would find a government fort with plenty of provisions and forage for our horses. We acted on his suggestion,—found it twice as far as he said it was, and reached the fort far in the night, worn out and tired. We found a few

women and children "forted up" in fear of the Indians, with little or no breadstuffs, and not a pound of forage, so that our men and horses lay down hungry and in ill humor. The troops were all out of the fort on duty.

Next morning a detail was made to visit the hospitable patriot who had deceived us the night before. We took with us from the fort three wagons and ox teams. On reaching the place we saw seated upon the gallery the hospitable man of the night before and several others, all well armed.

The officer of the detail opened up our business, which was that we desired the wagons loaded with corn and fodder. Much protesting and some threatening was done, when finally the party refused to let us have the feed, whereupon the guard was ordered to proceed to the barn and corn cribs. They did so, and filled the wagons to their utmost capacity, giving receipts for the same. We took it back, fed what we required, and turned the balance over to the people in the fort. They were highly delighted, and gave us to understand that the party had never given them the slightest assistance.

So you will see that even in those early days there were men—I believe, however, they were exceptions—who did not care to furnish to the soldiers defending the frontier the subsistence so necessary to keep them in the field and render them efficient. I presume this patriot also got his money without interest some ten years later.

We did constant ranging on the Brazos, Little River, and the Gabriels, and even more territory. At the falls of the Brazos, near Marlin, we built a fort, more for the protection of the families in that section than for ourselves, and evidences of the structure are still to be seen after fifty-five years of abandonment.

During a scout of several days made by five of us, for many hours we were almost famished for water. Near the head waters of the Gabriel we came upon a herd of buffalo, then numerous in that section, and we killed four of them. W. K. Smith, a butcher, and one of our party, cutting their throats, said the blood would quench thirst; that it tasted like new milk just from the cow. All of the others drank a great deal of it and were nauseated in consequence. I was the last to try it. Profiting

by their experience, I drank but little. It did taste like new milk and was somewhat warmer. It quenched my thirst without having any bad effect upon me, and I was glad enough to get it.

Sometimes the boys would get out of tobacco and go almost crazy for the want of it. It seemed to be greater suffering than hunger or thirst. Then, although I dare not laugh at them, I could congratulate myself that I had never taken a chew or smoked a cigar.

We had many alarms, yet no fights with the Indians; but doubtless this ranging on the frontier protected the settlers and their stock. There was no killing and no stealing while our command was on duty.

Our campaign was a hard one, for it was winter all the time and the weather was cold and rainy, while our clothing and blankets grew thinner and threadbare and ragged as our exposure continued. However, this was to be expected, and when our time was out we were returning home light-hearted and happy, when a very sad occurrence cast down our spirits. A soldier had received permission to discharge his gun. Just as he pulled the trigger one of our most estimable men, Sergeant Breeding, rode up on a very tall horse, and, receiving the full charge in his body, fell dead to the ground. With this lamented exception we all returned to Houston at the end of the three months and were discharged. The boys sought their homes and places of business and cigars with a feeling of gratification that our past hardships had helped to win peace for the present and greater security for the future in our settlements.

On our return to Houston we presented a motley appearance. On leaving, we were well clothed, and though not in uniform, looked quite like holiday soldiers. Now the most of us were in rags. I remember well how I appeared and how astonished my wife and friends were when they beheld me marching through town. The legs of my pants had disappeared, and I had made leggins of an old green baize crumb cloth that I had taken with me for a horse cover. This I cut up and divided with the boys, for many of them were fully as bad off as myself.

The following circumstance was quite amusing to our boys, who were worthy Texans of some army experience: Our quartermaster was a nice fellow, a journalist from South Carolina, but

recently arrived in Texas, J. W. Simmons. He desired to show his willingness to fight for the country of his adoption. He took with him a small carpet, bootjack, and slippers. He wore very fine, tight boots, had a handsome foot, and dressed well. He would be called a "dude" nowadays. After being in camp a short time (by the way, he was a good fighter, having fought one or more duels), he said: "I have come out here and roughed it. I have endeavored to find the Indians. It is not my fault that they can not be found. I think the point of honor is settled and I shall return home." Having got permission to do so he left us. Mr. Simmons afterwards filled an important civil position, superseding me as Comptroller in the Lamar administration.

It will be quite a mistake to suppose that the Milam Guards were chartered^a as a mere holiday company. On the contrary, a few of the very best citizens of Houston believed that a company chartered by the Congress of the Republic and made up of the best material in the community might prove a nucleus upon which could be formed at any time a force that could do good service in case of an emergency either in the city or the State. Certain privileges accorded the company, such as exemption from jury and road duty, filled its ranks with the very first citizens. The company was popular, and was commanded by the best military men, such as Capt. Joe Daniels, John N. O. Smith, James Reily, Judge Peter W. Gray, and others. I began as a private in the company, was promoted to corporal, and all along the line, arriving finally at the captaincy. We also volunteered to repel the Mexican invasion in 1842, but were turned back at Columbus by the orders of the government, Woll having retreated towards the Rio Grande. So we honorably escaped the disasters of the Mier expedition.

I took a great deal of interest and pride in my company, more

^a The charter was secured by the active aid of General Houston while a member of the Fourth Congress, and other friends. The incorporators were Joseph Daniels, Joseph C. Eldridge, J. L. Nickelson, C. J. Heddenberg, J. D. Cocke, A. J. Davis, and myself. Incorporated for ten years, with exemption from militia drills and road working. When taking the field the company, not to exceed seventy-five men, were to furnish their own tents, wagons, and camp equipage.

of course while I commanded it, which fortunately for me was after I was district clerk; for volunteer companies are always expensive to those belonging to them, especially to the officers. When we had fun in those days we paid more for it than now. One grand banquet for them cost me \$500, and a beautiful gold medal, which the best shot was allowed to wear, \$50 more. I footed the bill as a small way of showing my appreciation of the honor conferred when they made me their captain. The man wearing the medal the last time was Sam Pascal, a San Jacinto soldier, and he was allowed to keep it. I do not know of any survivors of the company except Captain Marks, Judge S. S. Munger and J. W. Laurence. The two last were not original members.

I have always believed that every county should have a volunteer company, well equipped by the State, and provided also with a liberal encampment fund. To keep such a guard well officered and trained is good policy on the part of the State. The late war with Spain illustrates the value of such military companies, who on call promptly rushed to the defense of the country. Well may Texas be proud of her volunteer soldiery.

During my absence scouting on the frontier with Major Bonnell, Houston's term of office expired, and I will now note some of the principal acts of his administration.

After Houston's inauguration, the government of the Republic had been thoroughly organized with the various departments; the courts had been established and their powers defined; a general land office had been established; the public debt had been consolidated and funded; all the islands of the Republic, including Galveston, had been sold or offered for sale. There had been some dispute as to the western boundary line of the Republic, but Thomas Jefferson Green's resolution, passed in the first session of the First Congress, fixed it definitely at the Rio Grande. This was a bold piece of legislation, but Texas has sustained it ever afterwards with her blood and treasure. The Cordova rebellion of Mexicans and Indians was suppressed, leaving prospects of peace on that line. Perhaps the most sharply criticised act of Houston's first administration was the incorporation of the Texas Railroad, Navigation and Banking Company. This became a law by his approval, and not over his opposition,

as generally believed. When convinced of his mistake, the President turned against it and defeated its going into effect by his official influence. This company was incorporated in the name of Branch T. Archer, James Collingsworth, and their associates and assigns. The capital stock was \$5,000,000, divided into 50,000 shares of \$100 each.

The signatures of B. T. Archer, James Collingsworth, J. Pinckney Henderson, Thos. F. McKinney, and S. F. Austin were attached to the petition for the charter. The bill was duly signed by President Houston, December 16, 1836. To become effective as a law, however, \$25,000 in gold or silver had to be paid over within eighteen months to the Treasurer of the Republic. When the required sum was offered in paper, Treasurer Brigham refused to accept it as a compliance with the law, and thus the measure was finally defeated.

Mirabeau B. Lamar was inaugurated President of the Republic of Texas on December 10, 1838. His private secretary, Mr. Thompson, read his inaugural address, much to the disappointment of the crowd who had lingered after listening to the eloquent valedictory of President Houston.

The first cabinet officers announced by the new President were Albert Sidney Johnston, Secretary of War, and Barnard E. Bee, Secretary of State, both excellent appointments, and confirmed at once by the Senate; and after these were successively made public the names of Memucan Hunt, Secretary of the Navy; Richard G. Dunlap, Secretary of the Treasury, and Charles Watrous, Attorney-General.

This, the Third Congress, in its early days elected General Rusk Chief Justice in place of James Collingsworth, deceased. The position had been temporarily held by John Birdsall, an appointee of President Houston. Texas sustained a great loss this winter in the death of John A. Wharton, Congressman from Brazoria. Dr. Ashbel Smith, Surgeon-General of the Texan army, was his attending physician. Ex-President D. G. Burnet on invitation, delivered before both houses of Congress, his incomparable eulogy beginning with these words: "The keenest blade on the field of San Jacinto is broken—the brave, the generous, the talented John A. Wharton is no more."

Very soon after my return my friend Col. Barnard E. Bee,

once Houston's Secretary of War and father of Gen. Hamilton P. Bee (who was then my clerk), calling upon me reminded me of my position toward the election of General Lamar. He gave me to understand that my friend Major Simmons would be appointed in my place, and advised me to resign. I asked the colonel why I was to be displaced. "Is there any thing personal against me—any charges of neglect of duty?" "Nothing ; the change will be made alone for politics or in consequence of your strict adherence to the Houston party." I then said to the colonel, "That is entirely satisfactory. When Mr. Simmons is duly appointed and qualified, let him call and everything will be ready and the office surrendered to him." In a short time he appeared, and I retired.

Gail Borden, the very able and popular old Texan, collector of the port of Galveston, was removed for similar reasons and his office given to a very elegant old gentleman, a Mr. Roberts, but very recently from Alabama. He was the father of one of our most distinguished lawyers, Sam Roberts, of North Texas.

In a very few days after leaving the comptroller's office I was surprised and pleased to find, in the *Houston Telegraph* what an experienced, valuable and efficient man I had been; and I was coupled with Gail Borden, the honest, capable, and energetic collector of Galveston, two of the very best officers of the Republic removed solely for political reasons; for all of which the administration was editorially berated. It may be well to state here that the country was divided into the "Houston Party," as all adherents of Sam Houston were called, and the "Anti-Houston Party." for in those days there were no Democratic or Whigs in a party sense in Texas, and elections turned as to the policies advocated by Houston and those opposed to him. I believed firmly in his policies for the Republic, so in the last election I was opposed to Lamar, and thus I was retired from office.

Very soon I became a granger—that's a modern Cincinnatus in his own opinion—retiring to farming and wood-chopping on Buffalo Bayou. I rented the historic Allen Vince place, situated on the bayou of that name, in which Santa Anna was swamped as he attempted to escape from the San Jacinto battlefield. I have often seen the fine black horse taken from Vince upon which the Mexican general attempted to escape when he

was bogged in the soft loam left at the head of tide water, just where the much talked of bridge was burned. He then hid in the grass until discovered by the men in pursuit, with Sylvester, Miles, and Robinson.

Now, I didn't take hold of the handle of the plow and have a rope tied to the left horn of a little steer not as big as a jack-rabbit, according to the picture in the old story book, when the senate arrived to beg the great patriot, Cincinnatus, to come and save Rome, and I wasn't sent for while I was on the farm, either. But I had a fine large ox team, and I drove it with a long whip to crack over them, singing out in a stentorian voice "Gee whoa!" "haw, Tom!" "Come back here, Buck!" interlarded with expletives that should not fall on polite ears, but were some way very persuasive to the oxen to move on.

Though I did not chop the cord wood, I hauled it to the steamboat landing myself. I didn't hill up potatoes, but I carried water and watered them. I hired negroes for heavy work, and for domestic service I had my Mexican, Antonio. He, with two other Mexicans, soon after my coming to Houston were farmed out to me by the government. As the Republic could not afford the expense of guarding and caring for the hundreds of prisoners on their hands, they were turned over to responsible parties upon the latter giving bond for good treatment of the prisoners and their safe delivery when demanded. I had these men several years, as also a woman. In fact many of them chose to remain in the country after their release, being quite happy that they were not massacred when they were captured. The terror of the privates and the opinion that they themselves held of the barbarity of the Mexican officers toward our vanquished soldiery voiced itself in the cry they sent up as they threw down their arms at San Jacinto, "Me no Alamo! Me no Goliad!"

As a rule they were very tractable and proved of much service in our first rough way of living. When we were in our clapboard shanty, two years before this, they cooked out of doors for us, and once during a remarkable spell of cold weather they saved us from suffering. It snowed and froze for several days, and the thin walls of our abode were little protection from the biting wind. The snow drifted through, and only in the bed under the

thick blankets could we keep warm, and only then could we keep the snow out of our faces by the thick cloth of the mosquito bar at the top of the improvised canopy. Secure in the service of our faithful Mexicans, who foraged and cooked as best they could, keeping up a log-heap fire and bringing us our meals to the bedside, we snoozed away two days until the storm was over. This was an unprecedented spell of weather. But I have gone off to my Mexicans when I should be telling of my farm. Well, I did work very hard and my wife had Antonio to help her cook; but she brought my dinner to me when I was at work, and I remember well the first time she went out to help milk. She had on French kid slippers and silk stockings. The season wore on amid fun and hardships, and the crop was gathered. Then I chartered a small sloop boat called the William, loaded her with my farm truck, and started for Galveston Island with one other man on board. We sailed down Buffalo Bayou, out of San Jacinto Bay across Clopper's bar in safety, and reached and crossed Red Fish bar all right. But after crossing Red Fish bar we encountered bad weather. The wind became very heavy, and in consequence, I suppose, of bad management—in defiance of former experience, I had no old tar along—our vessel upset, and the cargo of potatoes and other produce was dumped into Galveston bay. Thus much of the labor of many hard months on the farm was all lost. One thing I am sure, it was my first and last attempt to move my crop on a vessel under my own command. How did I get out? Why, another vessel picked me up; but about that time it seemed to me that my potatoes, pumpkins, and truck stuff were of more consequence than myself, and they were at the bottom. After that experience, as it was beginning to appear that my wood contract was not a paying business, it did not take me long to decide against farming.

CHAPTER FIVE.

Our French Naval Visitors in 1838 — Festivities at Houston and Galveston — The Selection of Austin as the Capital of the Republic — In the Commission Business at Houston — General Houston and Bride Our Guests — The Canvass of 1840-41 in Harris County and My Election as Clerk of the District Court — The Canvass for the Presidency of the Republic Between Burnet and Houston and the Election of the Latter — Henry Smith Declining to Be a Candidate for Vice-President, Ed Burleson Becomes the Running Mate of Houston and Is Elected — The Santa Fe Expedition — My Brother Tom a Lieutenant in the Expedition — Lamar's Work in the Cause of Education — Expulsion of the Cherokees from Texas — Collapse of the Public Credit, and the Beginning of Retrenchment.

On his way home from the successful bombardment of San Juan d'Ulloa and capture of Vera Cruz, the French Admiral Baudin with his fleet visited Texas in May, 1839. The admiral himself with an aid came ashore at Velasco, and they were escorted by Gen. Thos. J. Green to Colonel Wharton's plantation, and thence taken in Colonel Groce's carriage in charge of Captain Clendenning to the city of Houston. President Lamar had gone to Galveston to meet the gallant Frenchman, but soon returned, and the admiral and aid were treated with true Texas hospitality by the generous people of Houston. After four days of festivities the distinguished visitors, attended by many leading citizens, took passage in a steamboat down Buffalo Bayou to Galveston. Dr. Ashbel Smith did the special honors at Houston to these foreign guests, speaking French, to their great delight, with the grace of a Frenchman. And it fell upon the courtly and learned doctor to point out from the deck of the steamer to these fighting Frenchmen the prairie of San Jacinto, where had been decided three years before the independence of Texas. Admiral Baudin in a few days rejoined his fleet of twenty-six vessels anchored off the harbor of Galveston. Next a grand ball was given on board the flagship *Nereide*, and the elite of Texan society, particularly in Houston and Galveston, were invited.

The Texan war brig *Zavala* carried out the Texan ball-goers to the *Nereide*, where was a brilliant concourse of naval officers

fresh from their victories at Vera Cruz. Ignorance of each others language at first caused some embarrassment between the Texan ladies and the gallant Frenchmen, but they soon found a common language in the mazes of the dance. The fleet sailed for France in May, 1839. The Texans and Frenchmen parted as fast friends, and it is certain that Admiral Baudin's favorable report on his return home caused the government of France to recognize the Texan Republic. In a short time England followed in the wake of France, and the Republic was safe beyond all contingencies.

During the first year of Lamar's administration and while I was on my farm, commissioners appointed by the Third Congress selected a site on the then Indian frontier for a permanent capital. The point chosen was an eligible spot on the Colorado, just where that river emerges from the mountains into the prairie region. Gen. Ed. Waller laid out the new town, which was called Austin, in honor of "the Father of Texas," made sales of town lots, and erected the buildings necessary for the accommodation of the government, including the capitol, department offices, the executive mansion, etc. In October the archives in Houston were loaded on thirty wagons and hauled to the new capital. The President, with some of his cabinet, was met about two miles from Austin by a deputation of citizens, headed by Colonel Burleson, welcomed by a speech from Ed. Waller, and escorted to the city to Bullock's Hotel. Here the President met a large concourse of friends who partook with him of a sumptuous dinner, closing with toasts, drinks, responses, not uncommon then on such occasions in Texas.

As before remarked, farming did not pay me, and I returned to the city of Houston at the close of the year 1839 and engaged in the commission business with James W. Scott, formerly a paymaster in the army of Texas, a man of excellent ability and unimpeachable integrity. He was afterwards an able representative of Harris County in the Legislature.

We were at that time the only auction and commission merchants in the city, and received frequent consignments from foreign countries as well as from the local trade. Here are some advertisements from the *Morning Star* of March, 1840:

"SCOTT & LUBBOCK.—A few dozen Choice French Wines per French Brig Fils Unique. Hardware, Groceries, Boots and Shoes, Lots and Blocks, Tools; 40 to 50,000 feet Lumber; 12 bbls. Sugar; 30 sacks Salt; Hams; Havana Segars. 20 sacks Coffee, the remainder of the cargo of the schooner Francis, direct from Havana."

Yet while we made a living, it was with great labor and exertion. I did the auctioneering and my partner Scott did the bookkeeping. No one unless he has been an auctioneer can appreciate the difficulties of selling property at auction, consisting of every conceivable thing, from a toothpick to a ship's anchor, from a jar of preserves to a hogshead of sugar, and now and then a block of lots and a steamboat.

While following this business with all my vim, I was constantly on the lookout for something better and it came in due time.

After the adjournment of the Fourth Congress, of which he was a prominent member, General Houston, in the spring of the same year (1840), made an extensive eastern tour. On his return to our city in the summer the general, with his beautiful bride, née Margaret Moffett Lea, made a considerable sojourn at our home. Fortunately, at the time, we occupied a nice two-story building across the bayou, with ample accommodations for our distinguished guests. And their visit was heartily welcomed and enjoyed by us.

The canvass of 1840-41 in Harris County was never forgotten by those who participated in it. This was my first experience as a candidate, as then my soldier friends determined that I should come out for the clerkship.

Outside of the city of Houston my acquaintance was quite limited. Wm. K. Wilson, a deputy sheriff, who also made the tax assessments over the entire county, was a tried friend of mine. He suggested that my going along with him on his assessing tour would enable him to give me a large acquaintance, and at the proper time it would be an immense advantage in the canvass. Accepting his kind office, I procured a small but handsome mule of a sorrel color, and in a quiet way left Houston with him on his rounds. Upon arriving at an appointed place, some "king bee's" house, we would find the tax-paying citizens

gathered ready to be assessed. Wilson would spread his books, propound the necessary questions, and give the information desired, while I performed the clerical work. He would introduce me to every man and woman putting in an appearance, and he would whisper to them, "You see what a quick and fine clerk Lubbock is? He may be a candidate for district clerk at the next election, and if he is you should all support him, for he will make us the proper clerk." In this pleasant and unobtrusive manner a large number of voters became my friends before January, 1841, when my name was announced. Two strong and popular men were already in the field. One was Geo. W. Lively, the other Ed. H. Winfield, who had been acting district clerk from the organization of the county.

Canvassing in those days meant travel, labor, excitement, and some fun. It was expected that the candidates would visit every family outside of the city, and those who were not called on really felt slighted, and in some instances would vote against a man for not coming to see them. In this canvass, at one time while in Houston, Capt. M. R. Gohene, a clever fellow, living forty miles from the courthouse, remarked that he intended to give his vote for the various offices to the first candidates that called on him. The very first time I could leave the city without notice to anyone my mule was mounted, and that long ride was taken all alone. Gohene was as good as his word; he was ever after the friend of Lubbock, and he had influence.

The candidates for the various offices would start out in company sometimes twelve or fifteen strong. They would strike a country settlement, dividing out when night came on. They were the most accommodating set of fellows in the world—willing to do anything for the dear people—and it was not infrequent that in staying over night the voter would suggest, "Well, boys, I want to go to mill in the morning," and he would give them a corn shucking and shelling party during their stay. I often think of the difference then and now. At that time it was quite customary for the candidates to place with some country friend at the neighborhood store a barrel of whiskey each. It then cost from eight to ten dollars a barrel, and when a voter would come to make purchases, he would be asked to take a drink and told whose liquor he drank. In those days, if

he took your liquor it was deemed that he was your supporter. They say the custom now is to drink the other man's liquor. I know this will appear dreadful to some, but really there was less treating and drunkenness then than there is now under the present barroom plan.

A candidate was expected to attend every ball and wedding in the county. Generally Lubbock was to be found on hand endeavoring to make fair weather with the mothers and their girls, knowing that, while not voters, they exercise with sensible men a potent influence in elections very naturally. Racing among such expert horsemen was a very popular pastime and of course the candidates attended them. My opponent Lively was a good business man and fond of fun and popular. He had preceded me in going to a race at San Jacinto, a small town in Harris County near the battleground. As I rode up in the crowd, he pushed forward, and before I could dismount shook hands with me, remarking to the people: "There is a man that never took a chew of tobacco in his life; he, however, carries his saddle bags full for electioneering purposes. Lubbock, give me a chew." I replied very seriously: "No, sir; you can not get a chew of my tobacco. You should not only have brought a full supply for yourself, but for your friends. I have a-plenty here." Opening my saddle bags and taking out a package of the finest quality, all cut in nice pieces ready for distribution, I invited the crowd to pitch in and help themselves. They did so with a hurrah and yell for Lubbock that made the prairie ring. I then said very gravely: "Lively, you should always travel with plenty of tobacco. It gives you an opportunity to make acquaintances; for it is at all times permissible to stop a stranger and ask for a 'chaw of terbacker' and making acquaintances is what a candidate wishes to do."

The canvass throughout was a very heated one, particularly the contest for sheriff, M. T. Rodgers and Samuel G. Powell being the principal contestants. In this, my first race for clerk, Lubbock was ahead of Lively, who was next to him with 220 votes. There were very few votes between Rodgers and Powell for sheriff. There was a contest over the last office, and the court decided to have the entire ticket revoted for, so that another active canvass ensued. My mule trotted me through

safely. The vote for district clerk stood about the same, and Lubbock was declared elected.

A good office never goes begging, so in the course of time, some folks desiring a change, a particular friend of mine after many apologies said: "My friends want me to make the race for district clerk. I need the office and I suppose I must run. They say I am very popular and they believe I can get it. I hope it will make no difference with you." I replied, "Certainly not, friend Walker; that is your privilege, and it need make no difference between us." So the campaign was made. Every settlement in the county was worked by both of us for all it was worth. Lynchburg was then the strongest box, outside of Houston. He had long resided there, and his great friend Rodgers, a former sheriff and very popular, lived in that precinct and did all he could for his election. Supposing that the Lynchburg box might determine the election, Houston was given over to our friends and I repaired in person to Lynchburg. My opponent, Walker, his friend Rodgers, and others were there working unceasingly. I had some of the best workers in the county; among them were a few old cattlemen and farmers. At the close of the polls the tally list showed nearly 200 votes polled. Walker and I both watched every ballot as taken from the box with bated breath. I can never forget my excited and delighted feeling as "Lubbock," "Lubbock," "Lubbock," came from the box until the twenty-fifth ballot, which was for my friend and opponent. He had not previously made a remark, but as that ballot was read, "For district clerk, Walker," drawing a long sigh he said: "Well, old fellow, you are a good friend, but you were a long time getting out of that box." A heavy majority of his home box was for me, and I was again elected by a large majority.

In consequence of annexation to the United States another election came on before my second term expired, the terms then being for four years. This time "Lubbock had to go." After searching the field for a proper man, another good friend of mine wanted the office and he was selected to run. That was Mr. A. M. Gentry. He was intelligent and stood well in the community. A committee of his friends arranged the campaign work. In their rounds they called on my friend Walker,

whom I had defeated before. They began by telling him they had selected Gentry to defeat me and they were about to open up their plans of campaign. Walker stopped them. "Gentlemen, you had better not give me your confidence." "Why not?" they said. "We count on you for your valuable aid; did not Lubbock defeat you, and we are making calculations on your hearty support." "Well, gentlemen, I rather think I am a Lubbock man; he and I have ever been good friends. I was persuaded that my popularity was immense, and I was led to suppose that I might be elected, and failed." "Yes," said they, "but we have the right man this time." Walker replied: "I made the race against Lubbock. He was always fair with me. Our families and he and I are just as good friends as we were before, and I think I will vote for him. I have another reason—I do not intend to assist any man in doing what I could not do myself. I want it understood that I am a popular man in Harris County, and I never intend to let any man beat Frank Lubbock if I can prevent it. I shall vote for him for everything he runs for as long as I live." I was again elected and re-elected—holding the office for over sixteen years. Walker lived long enough to vote for me for several offices. His widow was ever one of my best friends. She is a charming lady, and now resides at Dallas.

Scott and I, while we were in the firm together, were very attentive to our business, and at the same time we took great interest in public affairs. Before my first race for district clerk was won, I began to think of the presidential candidates. Those in power had not carried on the government to the satisfaction of our party, and we intended to place Houston again at the helm of State. Scott, like myself, was an active politician and a great admirer and supporter of General Houston.

Ex-President Houston and Ex-President Burnet, never very good friends and differing widely as to the best public policies, were the opposing candidates for the presidency in 1841. In this canvass there was some sectional feeling between the east and the west, and much personal asperity between the candidates themselves. Lamar's administration had been made unpopular by the opposing leaders, and Burnet, who had been towards its close the *de facto* President, was made the scapegoat

of the sins of that administration. Besides, Burnet, though a genial gentleman, patriot, and scholar, was no match for Houston in personal magnetism or oratorical ability, and those qualities counted much in the political struggles of those times. Backed by the populous east, his home, Houston beat Burnet by a vote of 7915 to 3616.

At a large meeting of the friends of General Houston held in the city of Houston pursuant to call, April 15, 1841, Dr. Alexander Ewing was called to the chair and Francis R. Lubbock was appointed secretary. On motion a committee on resolutions was appointed, consisting of Francis R. Lubbock, James W. Scott, George Fisher, Dr. Wm. M. Carper, and Dr. C. H. Jaeger.

Mr. Lubbock reported the following resolutions, which were adopted enthusiastically:

"Whereas, a doubt exists on the part of the political friends of General Houston, as to the willingness of the Hon. Henry Smith to be considered a candidate for the Vice-Presidency of this Republic at the election in September next; and

"Whereas the good of the country requires a union of action in regard to the election for Vice-President and the nomination of a suitable candidate to be supported for said office with effect by the political friends of Gen. Sam Houston; and

"Whereas several candidates are already nominated for said office; therefore to insure a successful issue to the said election by the majority of the friends of General Houston in electing a man of their choice as the Vice-President of this Republic, who, in case of being called by the Constitution to fill temporarily the executive chair, would pursue the steps and carry out the measures of Gen. Houston; therefore, be it

"Resolved, That a committee of 101 be appointed by the chair to request the Hon. Henry Smith to allow his name to be placed before the people as a candidate for the office of Vice-President of this Republic."

The committee of 101 waited upon Henry Smith with a copy of these proceedings. He replied May 1st, declining to be a candidate, and recommending Dr. Anson Jones. But Dr. Jones appeared undecided on the subject; and in the summer of 1841, Dr. A. Ewing, George Fisher, J. N. Moreland, Thos. G. Western, and myself, confiding in the ability and patriotism of Dr. Jones,

addressed that gentleman a joint letter urging him to continue in the race and make the canvass personally for the Vice-Presidency; but he finally dropped out of the race, leaving the field open to Gen. Ed. Burleson, who, as the Houston candidate, was chosen over Memucan Hunt to be Vice-President of the Republic.

The Republic had many dangers and difficulties to encounter through its entire existence. The hostile Indians and Mexicans had to be provided against with an empty treasury, while European recognition was to be constantly sought. The public defense was fairly well conducted under the circumstances, and the Republic obtained recognition from France and the Netherlands. Over the refusal of Congress to sanction it, Lamar dispatched an expedition to Santa Fe. Its object was to extend the jurisdiction of Texas over that portion of the Republic lying east of the upper Rio Grande, our western boundary. If the people of that region were willing, the authority of Texas was to be established; for which purpose William G. Cooke, Dr. Brenham, and J. N. Navarro attended as commissioners. Should the people there be found hostile, the expedition would return after disposing of the merchandise carried along for trade.

The expedition consisted of about 300 men, with several wagons and one piece of artillery as a defense against hostile Indians. The commander was Gen. Hugh McLeod, a West Pointer. The party got bewildered and lost, and finally reached the vicinity of Santa Fe in a starving condition and the whole force was betrayed into a shameful surrender to a Mexican army by one Captain Lewis, whose treachery appeared later on.

My brother Tom, ever ready to volunteer in the cause of his country was first lieutenant in the Santa Fe Pioneers, of which Radeliff Hudson was captain and Volney Ostrander second lieutenant. Tom's sketch of the expedition is found in the appendix, with account of the sufferings of the prisoners and his own escape from a prison in the City of Mexico.

Lamar called the attention of the Third Congress to the clause of the Constitution on education; and on his recommendation a portion of the public lands was set aside for public schools and a university. This was perhaps Lamar's most popu-

lar official act, and it is well appreciated in this day of great advancement on educational lines from common schools to our great State University, inclusive. The Texans at the very birth of the Republic were mindful of the importance of an educational system. But no step had been before taken to put into effect this provision of the Constitution.

Houston's treaty with the Cherokees, recognizing their right to the soil, had never been ratified by the Texas Senate. Had it been, however, the subsequent Cherokee rebellion, suppressed by General Rusk while Houston was President, would have absolved the Texans from its obligations. In 1839 a small party of Mexicans were attacked and routed on Brushy Creek, near Austin, and among their effects were found papers disclosing a treaty made at Matamoros between certain Cherokee chiefs and the Mexicans for an unceasing war against Texas. Lamar promptly ordered Gen. A. S. Johnston, the Secretary of War, to take steps for the immediate expulsion of the Cherokees from the Republic. Generals Rusk and Douglass marched with their forces to the Cherokee country; but before resorting to force, a commission consisting of General Johnston himself, ex-President Burnet, I. W. Burton, and James S. Mayfield conferred with the Cherokee chiefs, offering to pay the Indians for their improvements, but insisting on their exit from the country. On their refusal of these terms, the Indians were attacked and routed, leaving in their flight their head chief, Bowles, dead on the field. Rid of these treacherous enemies on the Sabine frontier, Texas was now better enabled to guard against attacks on the Mexican line.

The close of Lamar's administration witnessed an utter collapse of the finances and credit of the Republic, and an immense public debt. Distrusting the financial system adopted in preceding administrations, Lamar had urged upon Congress a money system of his own devising, but it failed to be adopted. In apprehension of the inevitable collapse, many offices were abolished or much reduced in importance. The Navy Department shrunk into a bureau in charge of one clerk in the War Office. The Postal Department dwindled into a bureau styled the General Postoffice, in charge of a clerk in the office of the Secretary of State. The office of Stock Commissioner fell off to a bureau

styled the Stock Office, in charge of a clerk in the Treasury Department. The offices of the First and Second Auditors were consolidated. The offices of Quartermaster-General, Commissary-General, Surgeon-General, Adjutant, and Inspector-General, were all abolished and their duties devolved upon two clerks in the War Office. The line officers also in the army and navy were greatly reduced in number. But this tardy reform was not far-reaching enough. A new and better financial system was required. The truth is, the Republic, with her less than 50,000, had always been top-heavy in officialism, by trying to follow the example of the United States with their 15,000,000 souls.

CHAPTER SIX.

Some Notable Men of the Republic: W. H. Wharton, E. S. C. Robertson, Edward Burleson, R. M. Williamson, Robert Wilson, Richard Ellis, Henry Smith, Emory Raines, Dr. Alexander Ewing, Thos. F. McKinney, Sam M. Williams, and Wm. L. Hunter.

William H. Wharton was a prominent figure when I came to Texas. He was a son-in-law of Jared Groce, a lawyer of prominence, a man of fine address, and one of the early commissioners to the United States to negotiate a loan to carry on the war. He had at that early day a comfortable home and plantation a few miles from Velasco, in Brazoria County. His door was ever open to the stranger, and he and his estimable wife dispensed to all the greatest hospitality. Colonel Wharton was Minister to the United States in 1836, when Santa Anna was in Washington. On his return to Texas his vessel and passengers were captured by the Mexicans. But he escaped after wonderful adventures.

Colonel Wharton was a Virginian, coming to Texas in 1829. He was killed in 1839 by the accidental discharge of his pistol. He was a member of the Senate during the Second Congress, and I shall never forget a scene I witnessed there. Some measure was being discussed with great earnestness. Senator Wharton was one of the principal debaters. Senator John Dunn, an old and elegant man, representing Refugio, San Patricio, and Goliad—the last the place where the illustrious Fannin and his men had been massacred—was opposing the views of Wharton and appeared to annoy the senator considerably. In a replication made by Wharton to the remarks of Dunn, the senator became quite excited, and alluded to the fact that he (Dunn) represented nobody on that floor; that he believed he was there elected to the Senate by some three votes, and very patronizingly wished to know whom he represented. Senator Dunn replied with all the enthusiasm and fire of an Irish patriot. He alluded to the safety of the gentleman's territory and his home, their prosperity, their population, and freedom from invasion, and then contrasted the condition of his unfortunate locality, their

sufferings and privations, their people slaughtered by the Mexicans, and closed by saying: "I will have this Senate and the proud and arrogant senator from Brazoria to understand that I stand here representing the bones of the martyred and unburied dead."

The speech made a lasting impression upon me, and its effect on the Senate was to sustain the senator who was elected by three votes and represented the bones of the lamented Colonel Fannin and his men, and of many other gallant patriots who resisted the invasion of Urrea.

History gives a touching account of the interment of the victims of the Goliad massacre by General Rusk and Gen. Sidney Sherman when they followed the Mexican retreating army out of the country, while Santa Anna was still a captive. In their graves they are speaking yet, just as their bones were represented in the Senate in the days of the Republic.

E. S. C. Robertson was a man of mark, and stood out prominently as a hardy and intelligent pioneer. He was one of the early empresarios, a Tennessean, and settled what was known as Robertson's Colony. It seems that Robertson first came from Tennessee to Texas in 1823, but returned and did not come back as an empresario till 1830. He had much trouble with the Mexican government in carrying out his contract for colonizing his territory. Yet he ultimately succeeded, locating many families, for which he received large and valuable grants of land. Colonel Robertson was a senator in the First Congress. He was quick, earnest, and positive in speech and action, not particularly observant of parliamentary law and rules. I remember happening in the Senate in the midst of some discussion, when a senator quite vociferously called Senator Robertson to order. He paid no attention to the call. The senator continuing to interrupt his speech by cries of "Order! Order!" he stopped his speech but continued to address the president of the Senate, saying: "Mr. President, I am called to order. I do not know that I am out of order, but this I do know, I will not come to order at the command of the gentleman. But, Mr. President, if you will just knock that little hammer down on me, I will squat like a partridge."

Mr. Robertson died in the county which bears his name in the spring of 1842.

General Burleson, of San Jacinto fame, and well known both before and after the war for independence as a brave Indian fighter, was first in the House and then in the Senate before he was elected Vice-President. I remember well the earnestness and force with which he one day attacked Rusk, one of the giants of the House. He had up before the House a bill donating lands to the soldiers. He had gained Rusk's promise to the support of his bill, but when it was brought in and Rusk had time to think over the matter in all its bearings, he not only voted against it, but gave his reasons as a statesman why he could not support it. This was enough to move the ire of any man, and Burleson's towered high. In his indignation he coined words and rolled them out to express his contempt of the gentleman from Nacogdoches for "backing out" of his promise, and he carried the House against Rusk that time. General Burleson was universally recognized as one of the first men of Texas. While not well educated (he would murder the king's English sometimes), his good strong sense and excellent judgment and patriotism were acknowledged by all, and he was in his day and time strong with the masses. As a candidate for the presidency against Anson Jones, the last President of the Republic, his prospects of success were known to be good, and had not General Houston just before the election publicly declared for Jones, throwing his influence and many of his influential friends to him, there is little doubt that Burleson would have been President in 1844. Perhaps no man in Texas at that period had more military experience than Burleson. He commanded the army at the capture of Bexar in 1835 and led the First Regiment at San Jacinto. He was born in North Carolina in 1798, and died at Austin, December, 1857.

Hon. R. M. Williamson, known as "Three-legged Willie," of the First Congress, was a striking character, and would at once impress you with the fact that he was no ordinary man. You were drawn to him by his fine powers of conversation and his brilliant wit. His wonderful satire and his power of sarcasm

were at times withering, although his nature seemed genial and kind. In Congress he was recognized as an honest legislator, an able debater, a good lawyer, and an efficient judge. At times he was full of fun, had many amusing passages with his brother members, and was always respected and popular. During his term there were three Jones' in the body: John B. Jones of Galveston, a prominent lawyer and an upright man and judge, was a large man and had an immense foot; William E. Jones, also a distinguished lawyer and judge, was impulsive, earnest, and excitable; the other was Simon L. Jones, a rattling, jovial, kind-hearted son of the Emerald Isle. Judge Williamson in debate pleasantly spoke of his honest, big-footed friend Jones of Galveston, his fiery friend Jones of Gonzales, and his hell-roaring friend Jones of San Patricio.

Williamson came to Texas from Georgia in 1827, was alcalde in 1834, a member of the Consultation in 1835, district judge the next year, and a member of Congress in 1840. He died in Wharton County in December, 1859.

Robert Wilson, senator from the district of Harrisburg and Liberty counties, was one of the earliest settlers of Harrisburg, on Buffalo Bayou. He is supposed to have brought the first steamboat, the Cayuga, that navigated Galveston Bay. He was also interested in the first steam sawmill in the country. This was destroyed by Santa Anna as his army passed down to San Jacinto. While in the Senate, and at a time when the finances of the country were in a very bad condition, certain banks in Mississippi made propositions to loan Texas their bank issue, and the matter was discussed in secret session. Senator Wilson opposed the proposition, denouncing the banks as in a failing condition, and asserting that Texas would be swindled if she borrowed and put their money into circulation. He was an upright, enterprising citizen, and had acquired large properties in this section, and being a business man was a representative of that class. So while he was hot under the collar at the prospect of the threatened financial ruin, he used very unparliamentary language toward his brother senators, and, defying the sergeant-at-arms, made quite a scene, and afterwards on the outside, being a jovial companion and great talker, said too much about

what was going on in secret session. For these reasons, which the records of the Senate will show, he was arraigned and his seat declared vacant. The people of Houston and his district generally became indignant at his expulsion, and when an election was ordered to fill the vacancy in ten days, by an overwhelming vote they returned "Honest Bob," as he was familiarly called. On the day that he was to take his seat his constituents procured a large carriage, seated the senator-elect in it, and, ignoring horses, pulled it by hand to the capitol amid the shouts and hurrahs of the multitude. He stood up in the carriage to make them a little speech before he should enter, and in conclusion he said: "My friends, you make me a great man in spite of myself." He was then borne from the carriage upon their shoulders into the capitol, when the sergeant-at-arms again tried his hands upon him, being ordered by the president of the Senate to arrest Mr. Wilson and the person who played the bugle and the ringleaders of the mob that were interrupting the Senate in its deliberations. He was not brought before the Senate under arrest, however, until next day, when the sheriff, to whom a writ had been directed, brought up the prisoners. The ringleaders were sentenced to imprisonment for one day and Mr. Wilson to a reprimand. Then it was all over and the senator-elect took his seat, and, as in the years past, went on legislating for the country.

Upon one occasion, being asked if he really deserved the appellation of "Honest Bob," Senator Wilson replied: "I am always as honest as the circumstances of the case and the condition of the country will allow."

After the Houston party failed to place a candidate in the field against General Lamar for the presidency, Mr. Wilson, as usual deciding for himself, became a candidate just before the election. A party of gentlemen, I among the number, were questioning him as to his policy should he be elected, and said: "Tell us, please, with whom will you surround yourself as advisers in case of your election?" He replied: "It would certainly be indelicate and indiscreet to make an intimation, but," waving his hand around the circle, remarked, "Should I be elected, rest satisfied it would be just such men as you that I would call around me." This time he was as honest as the cir-

cumstances of the case and the condition of the country would allow.

Mr. Wilson came to Texas in 1828, participated in the capture of Bexar, and died in Houston in 1856.

In the journals of the Senate is recorded an incident illustrating the chaotic condition of the northeastern boundary line of Texas and the difficulties in the way of establishing a government on a substantial basis. They had to cut out of whole cloth without knowing how many yards the bolt contained. It relates to the Hon. Richard Ellis of Red River.

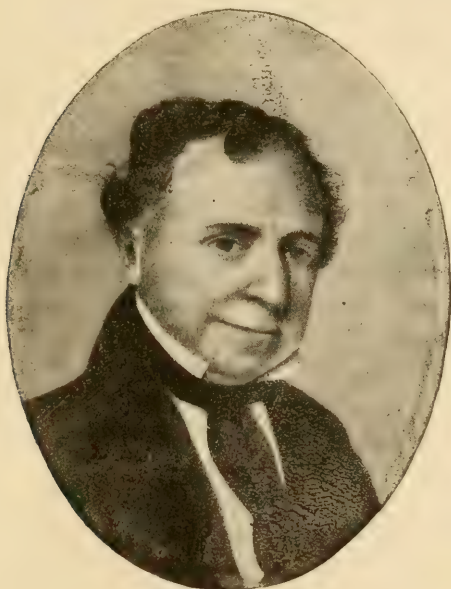
A protest against the vote that seated Mr. Ellis was sent in by Senators William H. Wharton, John Dunn, I. W. Burton, and S. H. Everett, who wished to record why they voted against the seating of the senator from Red River, "that posterity and all the world may know the course we have taken in this matter and the motives which induced it. We protest, first, on the grounds that the United States of the North exercise at this moment actual and exclusive jurisdiction, civil and military, over the country which the honorable gentleman claims to represent," etc., etc.; "secondly, we protest against said seat on the ground that the county of Red River has never been organized in accordance with the requisition of the laws of the Republic," etc., etc.; "thirdly, we solemnly protest on the ground that we are not fully satisfied that the honorable gentleman is a citizen of this Republic."

After all this, Mr. Ellis took a prominent part in the proceedings of the Senate, was even made president, and to-day we know, if these four intelligent contemporaries did not, that he represented a garden spot in Texas.

Mr. Ellis represented Red River in the convention that declared the independence of Texas, and, moreover, he was president of that body. It would appear that these objections to recognizing Red River County as a part of the Republic were presented rather late.

Mr. Ellis came to Texas from Alabama in 1833, was a member of the First Congress, and died in 1849.

As Comptroller during Houston's first term, I was closely connected with the Treasury Department, the head of which was Gov. Henry Smith. He was not only one of the earliest advocates of Texan independence, but he was in the first clash of arms at Velasco. He was elected Governor of the Provisional Government by the Consultation previous to the govern-



HENRY SMITH.

ment *ad interim* under President Burnet. Smith was a presidential candidate in 1836 with Austin and Houston, but received only a nominal vote. By President Houston he was appointed Secretary of the Treasury, serving the entire term.

He gave me several evidences of his friendship, particularly at the time I wished to go on the Bonnell expedition. The President consulted with him as Secretary of the Treasury, and he promptly consented to my having a leave of absence.

My intimate association with Governor Smith led me to ad-

mire his sterling worth, his pronounced patriotism, and his ability as an executive officer.

Smith was a native Kentuckian, but came from Missouri to Texas in 1821; was a school teacher in Brazoria County, 1827-1830; a member of the Convention in 1833. In 1849 he emigrated to California, where he died in 1853.

Emory Raines represented the counties of Shelby and Sabine in the Senate of the Second and Third Congresses. I remember him as a tall, dark, angular, and muscular man, presenting the appearance of a sturdy frontiersman. He was one of our early congressmen who did not have the advantage of an education in his boyhood, many of them being college men. Like Andy Johnson, however, he married an intelligent lady, who taught him to read. But he certainly possessed shrewdness, intelligence, and energy, as he was elected to Congress over an able and popular competitor; and, besides serving on several other committees, finally became chairman of the judiciary committee, and the Senate then included among its members such men as W. H. Wharton, Ellis, Everett, and Robertson.

Raines voted "No" so uniformly as to excite notice, and when questioned as to the reason, replied that if a measure proved popular no one cared to investigate the negative vote, but if it turned out to be unpopular, those on the negative side would win renown for statesmanship. A politician's idea this, not yet wholly extinct. As most of the legislation of the world has always been and is now bad, the negative is the safer side.

Judge Raines was an alcalde under the Mexican regime, and hence his English title of judge. He always claimed to be the author of the homestead exemption law. In later years he dropped the "e" in his name, spelling it "Rains." He came to Texas in 1818 from Tennessee, settling in the Sabine country. He died in the little county that bears his name in 1878.

Dr. Alexander Ewing, surgeon-general of the army of the Republic of Texas, located in Houston at an early day. An Irishman, young, handsome, black-haired and blue-eyed, of fine presence, a graduate of the Edinburgh Medical School, he was kind, liberal, active, and devoted to his profession, and soon en-

deared himself to the people of our city. He was our family physician from the time he arrived.

It was he who told me of the necessity or great advantage of taking coffee before going out into the dew or early morning air in the malarial district. He said: "Always take coffee as soon as you rise, and give it to your negroes if they are to go to the field before eating their breakfast. Do this, and you will never have chills and fever." For more than fifty years I have pursued this course, and have never had chills and fever in my family, although living the most of that time upon the coast of Texas.

During his lifetime that terrible scourge yellow fever frequently visited our coast. In the days I am speaking of it was very severe at Houston. His practice was extensive in those times of distress, even burdensome. The unacclimated, or the largest number of those able to do so, would flee from the infected districts, leaving behind only those who were acclimated or determined to brave it out. Hence it was that all who were not afraid of the disease were called upon for assistance. At such times, having a good horse, I would place myself at the disposal of my doctor, go with him, receive the prescriptions, have them put up by the apothecary, and distribute them to the various patients. No one unless he has passed through a yellow fever epidemic can appreciate the distress attending it. At times more than half of the population were suffering with the fever, with death rate running from 25 to 50 per cent of the population. Sometimes entire families were swept away. In one epidemic, nine cases out of ten of the patients after a few hours became entirely delirious, requiring the greatest care and watchfulness to keep them in their beds. The general disposition was to rise and run from the house, and in most instances where they took cold they would die.

For a long time, however, with quarantine laws strictly enforced, it would seem that our State is free from the dreaded disease. Since 1867 we have been free from a yellow fever epidemic in Houston and Galveston. The more extensive use of cistern water no doubt deserves some of the credit for this improvement as well as quarantine and sanitary measures, for when we had yellow fever in the country it was much lighter

where it was used instead of other water. In these times of distress I was near Dr. Ewing, and learned to appreciate the admirable traits of the man, and I loved him devotedly.

At the time of his death in Houston I was not aware that my friend was seriously ill. At the very hour I was in the courthouse delivering an address before the Masonic fraternity, one of our brothers entered and announced the death of Dr. Ewing, a brother Mason and a member of our lodge. I was greatly affected by the sudden, unexpected, and sorrowful intelligence, and at once went off in an impromptu eulogy on the man I loved so well, and sat down.

After the ceremonies Mrs. Judge Peter W. Gray, a most intelligent and accomplished lady, said to me: "Your effort on Dr. Ewing's death is what I call true eloquence." It was the first time I had ever been told that I could say anything eloquent. I appreciated it very much, emanating from the source it did. Dr. Ashbel Smith succeeded Dr. Ewing as surgeon-general of the Texan army in the summer of 1837.

Col. Thomas F. McKinney, of the firm of McKinney & Williams, was a large merchant at Quintana in the early days. He was a Kentuckian, but came from Missouri to Texas, and he was indeed a patriotic Texan. A brave, high-spirited man, his whole soul was in the cause of the Republic. He and his partner, S. M. Williams, aided most materially in sustaining the government in her darkest financial troubles.

It was with them that I found my brother, T. S. Lubbock, at work upon my arrival, and I made their establishment the storage place for my merchandise. Thus he was one of my first acquaintances. I found him a pleasant companion and hospitable, making everyone welcome that visited him. He was an unexcelled marksman with his old-time Kentucky rifle. I was struck with his quickness and accuracy while making a trip with him. He was the first person that I ever saw shooting squirrels through the head with a rifle while running. He was also a superior horseman, and, like all Kentuckians, fond of fine horses. He bred during his later years fine blooded animals for the turf. He was held in great esteem by those who knew him best.

McKinney once represented Travis County in the Legislature. He died on Onion Creek, in that county, in 1873.

Sam M. Williams, of the firm of McKinney & Williams, was a native of Baltimore. He was Austin's Colonial Secretary, and performed his duties to the almost universal satisfaction. Later he formed a partnership with Thomas F. McKinney, and this firm was the mainstay of the Republic in her early financial struggles. Williams was the first and only president of "The Commercial and Agricultural Bank of Galveston," beginning in 1846. He died in 1858 at Galveston.

Judge William L. Hunter, a native of Virginia, came to Texas in 1835 with the New Orleans Grays. My brother, T. S. Lubbock, and himself formed a close friendship in their soldier days which lasted through life. He came to Houston soon after I located there, and through my brother's fondness for him I became well acquainted with and much attached to him. From his mouth I received an account of the horrible butchery of Fannin and his men at Goliad. He was one of the eighteen belonging to the New Orleans Grays who had joined Fannin at that place, and one of the two of that number who escaped from it with his life.

There this brave commander, surrounded by difficulties, struggled for weeks to do his duty in protecting the settlers' families, in furnishing a base for the detachments sent out on various expeditions, and in supporting the line, a part of which was formed by the gallant defenders of the Alamo. They determined "never to surrender nor retreat," and had thrown down the gauntlet of defiance to their enemies, and with an appeal for aid to their friends, awaited the issue.

Travis took orders from Gov. Henry Smith, and Fannin from the Council; but the same spirit animated both—the spirit to do or die for their country in this her sorest hour of need.

Santa Anna, threatening direst vengeance, with his army had entered Texas through Presidio on his way to San Antonio, and on the 23d of February of this year, 1836, had summoned the garrison of the Alamo to surrender. General Urrea through Matamoros had marched one division along the coast toward

Goliad, capturing San Patricio on the 28th of February. From this place came the first news of his invasion to Fannin, and just about the same time the arrival of Col. James Butler Bonham brought to him the message of the terrible extremity of the garrison in the Alamo. He had more to do than man could accomplish with his resources. He sent detachments out to look after families. He essayed to go to the relief of Travis, when his gun carriage broke down and he was delayed until he received the news of the further advance of General Urrea, who was visiting summary vengeance upon all detachments captured, scarcely leaving a man to tell the tale. Making at one and the same time preparations to receive an attack upon Goliad and to retreat from the place, he heard of the fall of the Alamo, and fought with desperation when he was attacked just outside of the town at Colito by Urrea's men in great force. Wounded in the battle and compelled to surrender, he made good terms under the circumstances, which were that his men should be treated as prisoners of war, the privates sent to the United States, and the officers paroled.

After an imprisonment of several days in the old mission at Goliad, the privates were marched out on Sunday, March 27th, to be sent off to their homes, as they thought, when to their horror they discovered it was to be shot by order of Santa Anna, with the entire command, officers and men, about four hundred in number. Those who were not killed were very few, and Hunter's escape was miraculous under the circumstances. He had passed through the fiery ordeal as one of the volunteers in the storming of Bexar and capture of Cos' command. He was cool and brave, and promptly made up his mind what to do. The Mexicans generally aimed very high and their guns were not very true. Counting on this, he determined when the firing began, to fall as if shot, taking the chances. He lay as dead, intending after night set in, if not injured, to escape from the field of slaughter. The Grays had not been long from New Orleans, and were well clothed. He had on a good black silk cravat. The Mexicans relieved him of his boots and then took a fancy to his cravat, and as they proceeded to untie it, he, thinking they were about to cut his throat, drew a quick breath. Immediately they cried "No muerto! No muerto!" (not dead, not

dead), and at once commenced bayoneting him. He still played dead on them, and they, after inflicting thirteen distinct wounds upon his body, left him for dead. After dark, not being able to stand and walk, he crawled away from the field of blood. After great suffering, and with nothing to eat, living only on the dew from the grass, on the third day he reached a house, where he was cared for and ultimately recovered. He said to me, "Frank, I will never try to 'play possum' again."

He settled at Goliad, near the scene of the dreadful slaughter from which he so miraculously escaped, and was at one time a representative from Goliad and for years the county judge of that county.

CHAPTER SEVEN.

Method of Business in the Clerk's Office — My Fondness for Horses — Purchase of a Ranch and Stocking It — Removal to My Ranch in 1847 — Our Neighbors — Agricultural Work and Stockraising — A Round-up, Incidents in the Life of a Cowboy — The Laziest Man in Texas — My Negro Stockmen — As a Cattle Baron — The Cattle Trade Then and Now.

On entering upon my duties as district clerk of Harris County I determined to give the office strict attention, to gain the approval of the people, the confidence of the presiding judge, and the friendship of the lawyers, at that early day, as now, a very strong class of men. They came from many other counties, and even from foreign governments. I also laid down the rule that I would never shave or speculate in a witness' or juror's certificate. If the county could not pay the cash someone else might do the shaving; and I would never sell property for my fees. Neither would I send a man to prison because of his failure to pay them. In a word, as I was opposed upon principle to an officer speculating in any way in the things presenting themselves by reason of his office, I decided to do nothing of the kind. This rule I have strictly observed in every position I have occupied through life. Further, as I have always felt that the people conferred position on me and enabled me to provide for myself and family by my labor for them, I would endeavor to treat them generously under all circumstances. I spent my own money liberally, but I was extravagant in horses. Sometimes I would hear this from enemies, and at times my friends would badger me on the subject. There was in Houston a good, honest carpenter, Tom Bailey, who opposed my election upon the ground that when comptroller I put on style and closed my office promptly at 4 p. m., and no one could have business attended to later. The fact was he did considerable fitting up about the capitol and he would come after office hours, while that summer I was living about four miles in the country, and generally closed the office and left town promptly at 4 p. m., and he was disappointed a time or two in getting his accounts approved. So he would say,

"Don't vote for Lubbock. He will buy him a horse and buggy, put on style, and if you are a few minutes after time you will never get your work done."

However, Bailey was mistaken. My business was attended to promptly and well, and if I spent money on horses it was my own money, and if I did ride them it was in my own time and not in the people's. But my weak point was horses, and in that direction I was prodigal. At the time I was on my Allen Vince farm I owned a \$500 horse. I remember one day riding him into Houston and coming on a knot of our business men, all friends of mine—W. J. Hutchings, T.W. House, B. A. Shepherd, John Kennedy, and others. I saluted them and dismounted. We engaged at once in a rambling, friendly talk. Shepherd said: "Well, Frank, you will ride a fine horse. The fact is you ride a horse good enough for a rich man." I spoke up: "Yes, gentlemen, but you know we all have our little weaknesses. Some men throw away their money on unfortunate speculations, some on cards, some on wine, some on women, and some on horses. I spend mine on fine horses. I love them, and make them useful. I acknowledge, my friends, that I have sometimes come up to town on that very horse bringing my wallets with me to take back two or three dollars' worth of sugar and coffee and flour, and have gone back with them empty, as I failed in collections, and did not wish to let you know I was so bad off as to ask you to put so small an amount on your books. I would have been willing to call on you and you would have been only too glad to credit me for a barrel of flour or sugar or a sack of coffee; but that amount would have broken up your stock. So you see I was prudent for myself and considerate to you when I did not ask you for so much."

These men were all my good friends, and they appreciated the joke about their limited capital. By prudence and intelligence, strict attention to business, and unimpeachable integrity, they soon were in the first rank of business men. They all became wealthy, lived respected and beloved, and died regretted by the people who knew them. William M. Rice got his start in business about the same time with them, and today he is endowing a magnificent library for the city where more than a half century ago he came to seek his fortune.

I must speak of our life on a ranch and why I became a *ranchero* during the time of my clerkship. After February, 1841, there was much litigation, and while the fees were quite liberal money was very scarce, so that in 1846 there was due the clerk's office a large amount. Upon presentation of their costs bill the farmers and stockraisers would tender cows, ponies, hogs, and sheep in payment. The question then occurred to me, what could a man living in the town do with such things? To avail anything, land suitable for a ranch must be secured.

Upon consultation with my friend, Judge Andrew Briscoe, I purchased of him, as the agent of the Harris heirs, about 400 acres of land at 75 cents per acre, on the south side of "Simms' Bayou," and six miles from the city of Houston. After deciding to start a ranch, the subject was opened up to my friend Judge Patrick C. Jack, the presiding judge over the court of which I was clerk. He was quite disgusted with the cattle business, owing to the fact that the early settlers had many lawsuits, both criminal and civil, in consequence of the cattle running so much on a common range, and the crimination and recrimination in regard to branding them. Thus when he discussed my contemplated enterprise he had many objections to urge against it. After giving many reasons why I should not embark in the business he said: "Lubbock, you are a young man; your reputation is good; you are getting along remarkably well; you are popular, with no breath of scandal against you. Go into the cattle business, and in less than six months you will be charged with stealing cattle and branding calves not your own, and you will not only be charged with it, but very likely they will prove it on you. Do not go into it; the business is not respectable." After rebutting his arguments as thoroughly as I could I finally said: "I believe, judge, I will go into the business to give it respectability."

So that enterprise was put on foot. I hired an intelligent boy, Henry Dillard, for my stockman, put up a cabin on my land, and at once commenced stocking it in a small way with the cattle which the farmers and others very promptly tendered.

At the first court after starting the ranch there was a large number of indictments brought in. After being first submitted to the judge they were handed to the clerk for filing. After

court adjourned, the judge playfully remarked to the lawyers and bystanders, "Did you notice how anxious and nervous the clerk appeared to-day while examining the bills presented by the grand jury? It seemed to me that he feared he might discover his name in the batch."

I was of course quite gratified to find no bill against F. R. Lubbock, and I am still more gratified to say, after running the business for over twenty years, that I never did have a disagreement with a neighbor growing out of a cattle transaction.

A deputy clerk was necessary, and I devoted all my spare time to my interest on the ranch where my stock keeper was in charge. Then, an opportunity presenting itself, I traded my residence in Houston for a stock of cattle and in 1847 we removed to the ranch permanently.

Very soon I had a comfortable and desirable home. The place was so well improved by good buildings, fencings, barns, pens, lots, and pastures (I put up a chicken house that cost \$1500), that strangers would remark that some industrious Yankee must own the place, and were much surprised when they would be told he was a Southern man, an early comer to Texas. So much for a city boy, that took to ranching.

The little town of Harrisburg, scarce three miles away, gave us a pleasant set of neighbors, and at Houston our acquaintance was large and our friends knew they were always welcome. We had plenty of good country fare—milk, curds, clabber, good fresh butter, while all the world was telling that we had prairies full of cattle and not a drop of milk, and plenty of berries in season, such things as city people love to get for a change. It made a ride out to Lubbock's attractive, and really it was an exception when we sat down to table without company.

This ranch was located on a line of travel from Houston to Galveston and to many ranches in Harris and Brazoria Counties, and though not on a county road it was passed daily by many people. The largest number were ranchmen, and of course were always welcome at our place—hence we had much company of that character. This entertaining was mutual, as it was customary for the cattlemen in their rounds to visit and camp with each other. But the latch string was always on the outside to all

comers, and no traveler ever stopped without having his horse and himself taken care of free of charge.

I enjoyed living in the country and riding to and fro to attend to court matters, and unless something very urgent required me to remain in the city I returned home at night, even if I had to encounter a rough trip, which was quite often.

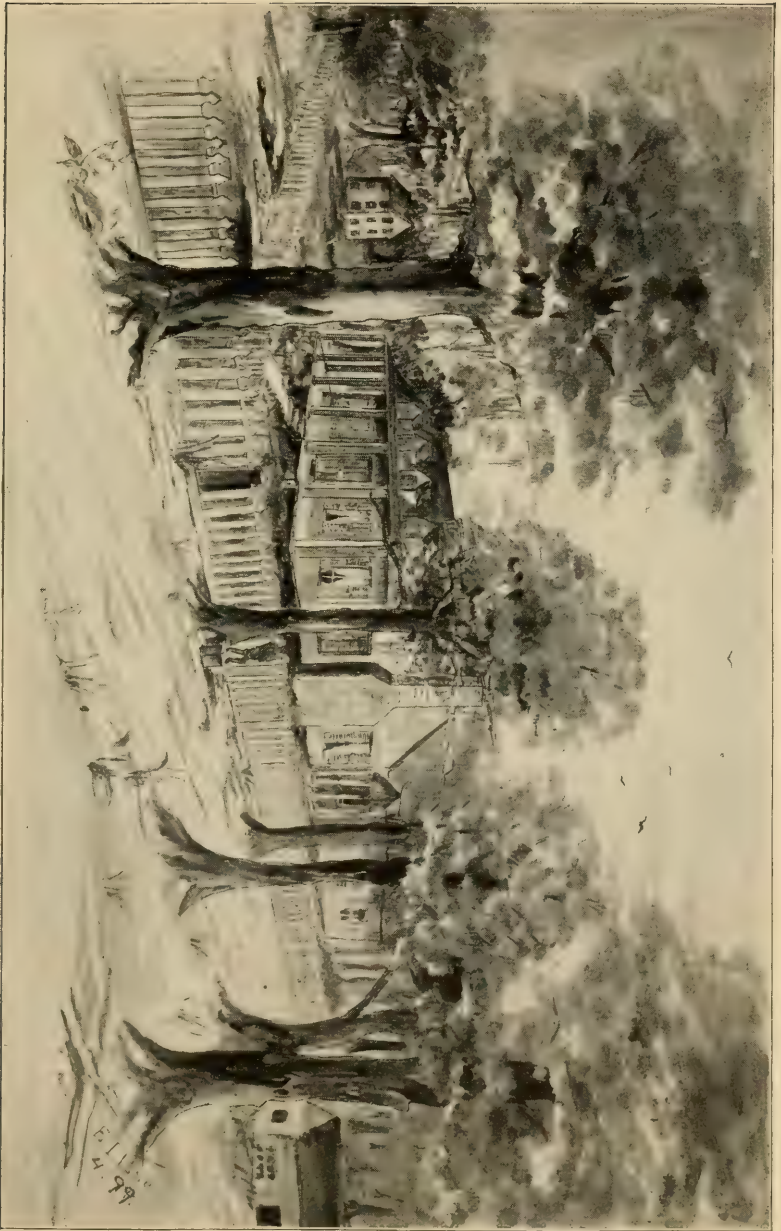
Simms' Bayou, upon the south side of which my improvements were located, was very boggy, and in consequence I kept upon it what is known as a ground bridge. The country around was held by good settlers, people of intelligence and enterprise.

At Harrisburg lived General Sherman, who, with all the energy of a very energetic man, was striving to build up that town, which was burned in 1836 by Santa Anna. He had been very active in the cause of Texas independence, using his own private means to bring her aid and volunteering his services in her defense, and afterwards made himself busy in building up her waste places.

In 1852 he went to Boston, Mass., and enlisted capitalists to build a railroad through our wilderness. It brought little or no financial success to him, but to all time let it be recorded that he not only led the first charge at San Jacinto with the cry of "Goliad and the Alamo!" but that the first locomotive whose whistle reverberated over a Texas prairie was the "General Sherman," the creation of his enterprise and energy. As his war-cry opened the battle that had such great political results, so the whistle of the locomotive General Sherman struck a chord that reverberated through our vast territory, followed in my lifetime by the shrill notes of legions of others on our Southwestern railways, reaching with messages of peace and prosperity even into that foreign country with which we were so long at war.

The firm of Kyle & Terry (Gen. W. J. Kyle and Col. Frank Terry, of Terry Ranger fame), then Oyster Creek cotton and sugar planters, took the contract for building the road. When it reached Thomas Point we had a great barbecue to celebrate the opening, and several of us glorified the occasion in speeches. We all had our expectation of great good up to the highest point, and each of us had contributed our mite. I had given one of my finest horses for the survey to add to the foreign capital that General Sherman had obtained to build the Buffalo Bayou,

THE LUBBOCK RANCHE HOMESTEAD.



Brazos, & Colorado Railroad, now the Sunset Route. Barrett, from Boston, was the first president, and the first engineer was Williams, who afterwards married General Sherman's daughter. Mrs. Sherman, who was of the Cox family, was a very beautiful woman; indeed, our community was not only composed of intelligent, enterprising men, but of accomplished women.

Mrs. Briscoe is the only one of that olden time still remaining to show this generation their culture and worth and she can do it grandly.

Briscoe's home was three miles from ours. At the time of which I speak he was county judge of Harris County, and a man to be admired—firm, brave, and just. His wife was from the State of New York, General Sherman's from Kentucky, and mine from Louisiana. These were all good friends, for the women as well as the men who came here were true Texans.

Among the later men were the Dobies, well educated Virginians and fine fellows, whose ranch was about fourteen miles from ours; Allen, a Texas boy, intelligent, energetic, and reliable in business, and Colonel Hill, a first-class South Carolinian. Our country for miles around was held by enterprising and industrious citizens, most of them interested in cattle. With all of these I cow-hunted from the time of my small beginning until I became the largest cattle owner between the Brazos and Trinity, and no baron of old ever went forth with his retainers at his back to right his wrongs or mayhap to answer the summons of a superior with as happy and as free a heart as I, a cattleman, with my neighbors at my side and my cowboys at my heels, started on a round up. Nor did any baron among our English ancestors in his excursions ride over so broad or so fair a land. In all the world that I have visited I have never beheld a more beautiful scene than a prairie in sunny Texas, bounded only by the drooping canopy of heaven, carpeted with grass, bespangled with flowers, and presenting occasional mottes of timber, the only life in the scene being vast herds of grazing cattle. An artist would revel in such a scene. I doubt, however, if a musician would delight in the lowing of the herds, but it made melody for me. I used to say the words of their lowing ran "Money in thy purse, my boy;" and I have learned in going

through the world that not only my practical self, but a musician and even an artist, appreciates "money in thy purse."

But outside of money making a cow-hunt possessed a fascination for me. It had many of the features of a soldier's life,—the living out in the open air, the sky for a roof and the grassy sod for a pillow; the eager appetite for the simple meal; the story and merriment around the campfire with friends; plenty of excitement, combined with a touch of danger, and considerable generalship in controlling large herds of wild cattle.

I purchased land for a ranch only, but I went somewhat into farming, and I discovered Briscoe was quite mistaken when he positively stated that the land he sold me was not fit for anything but cattle raising. This I found out after I put enough in cultivation to answer my purposes. It was black hog-wallow, or heavy black waxy prairie, and its need was drainage, and I had it well ditched and drained. Then, in preparing my ground for the crop, I adopted a mode that proved very beneficial. My land was laid off in beds of twelve feet wide, thrown well up, and the corn planted on those beds in rows of three or four feet apart. This gave admirable drainage. The next year I would plant in the water furrows next to the corn rows, after opening them with a subsoil plow, and I invariably made good corn. While I did not plant cotton for a crop, the land would produce it well, as I found by my experiments, and General Briscoe, a cotton planter of Mississippi, who visited me once in company with his son, Judge Briscoe, was delighted with my farm, and said that he knew from what he saw of my place that it would produce good cotton and in paying quantities. Besides, it yielded very fair oats and peas and sweet and Irish potatoes of the best quality; in fact vegetables of all kinds grew well. I also had a good peach and plum orchard and very many fine fig trees. Blackberries and dewberries, indigenous to the sandy soil, grew in great profusion upon the waxy land after it was plowed; sorghum made luxuriant crops. Upon this I summered my hogs, of which I had a large stock.

Many farmers who cultivate heavy black land make a great mistake in allowing their stock to run in their field; I never permitted it. This even in dry weather injures the land and makes it hard to plow, and is ruinous in wet weather; it packs the land

and makes it break in hard clods which sometimes remain unslacked during the entire season. It pays to house your pea vines fodder and hay and feed it from the barns, instead of allowing the stock to feed from the fields. I should, however, be modest in expressing myself about farming, for I counted myself a cattleman and not a farmer; but I believe I would be modest even if very proud of my success as a farmer more than forty years ago. I did not have agricultural journals or any early training to help me on, but I made a good farmer on black waxy prairie in Harris County; so I can but exclaim, as I think of the more superior soils of the State, what an Eldorado Texas is for the industrious and frugal farmer!

For the first few years we had a hard and trying time. We settled where a tree had never been felled nor a blade of grass cut down. Considerable stock had been gotten together and quite a nice "caballado" or drove of horses. The bayou was very boggy, and the first winters and springs, when the stock became poor and while they were still unaccustomed to the crossings, the losses were very heavy. The finest horses and cattle seemed doomed to bog. All the receipts of the clerk's office were required to keep the ranch and farm agoing, and at times I found myself getting in debt. I had no experience in such a life, and so discouraged was I that in paying a visit to my friend Briscoe I declared to him that I contemplated abandoning my ranch and returning to town. He had a story ready for me to about this effect: that no matter in what business you embark, if it is legitimate, it is entitled to a fair trial, and if you would give it good and intelligent attention with proper energy and industry and stick to it for ten years, the difficulties would be surmounted and it would prove lucrative. After hearing the story, I left his house determined to hold on for ten years and take all the chances.

Now, what was a round-up? I will endeavor to give you an idea of it. The cattle being without any restraint during the winter would drift freely from the ranches of their respective owners. So it became necessary early in the spring to hunt them up and drive them back preparatory to the branding of the calves. In order to do this the ranchers who wished to have the

same range assembled with from five to twenty men, as circumstances required. Each household would have its own pack mule and provisions, consisting of biscuit, prepared to keep without moulding, hard tack, bacon, coffee in great abundance, sugar, and molasses. When the drive was expected to be long continued a wagon with a pair of mules would be taken for transportation. According to the extent of the range the time of the hunt would be determined; three to eight days would make up a drive when not going very far from home, and a larger scope of country would demand sometimes as much as thirty days. From two to four horses were provided for each man, because the horses were worked with only grass for their feed, and must needs be changed frequently during the day.

It was customary during a drive in the spring of the year or to the first of July to pen the cattle gathered into the herd and brand the calves every day to guard against accidents or escapes. This branding was the main object of the hunt, of course. As the cattle belonged to different men, the first care was to identify the calves by their mothers. When they were tired and refused to notice their mothers, it was wonderful to see with what certainty some of the cowboys could identify them by their appearance and flesh marks. Then a cowboy on the alert would rope and throw the calf, while another handed him the iron heated and ready to be applied. It was the work of a moment. In case a mistake was discovered the same brand was again applied, which was called counterbranding, and the owner's brand then put on. This was the mode of transferring cattle from one owner to another, and was invariably done when selling stock cattle, unless the entire stock, including the brand, was sold.

Then, upon arriving on some noted ground where the company expected to separate, the large herd, sometimes numbering several thousand, would be held, which we did by encircling them on horseback, forming as it were an inclosure. The party having the smallest number in the herd then proceeded to cut out, as it is called, his cattle, and so on the next smallest owner, and the next, until each cattleman would have his stock gathered into a separate herd, which he would drive home, turning them on the range to which they were accustomed for the summer. Of course many, unless closely herded, would drift back whence they

were driven, which made little difference if the calves were branded. In the fall the same course of driving was pursued, except that it was not advisable to drive the cattle home. They were only rounded up, and the calves being branded, they were allowed to remain where they were.

For the benefit of those who do not understand what is meant by cutting out or parting cattle, I will explain. A large number of stock is rounded up. Several owners have aided in the rounding up and have cattle in the herd. The time comes for each to get out his own preparatory to driving them home. He mounts his horse, and very much depends on the training and intelligence of the latter in getting his work done rapidly and smoothly. The animal he wishes is singled out and he proceeds gently to push it towards the outer line of the herd, causing as little disturbance among the cattle as possible. On getting it to a favorable point on the outer line his horse makes a quick dash, running it out to a point some distance from the main herd, where one by one he collects in the same manner his own cattle. This process is continued until all the ranchmen get together their several herds. Then the strays or cattle not claimed are turned loose to roam.

My pony Shuck was the first horse I purchased for my own cowdriving. He was considered the best parting or cutting out animal in all our range. Young, fleet, quick, and sensible, he waited and watched, appearing to know just what a cow was intending to do. He would come nearer taking care of a herd without a rider than any animal I ever knew. I worked him until he was about twenty years old and then gave him his freedom, permitting no one to back him.

On one occasion, having a bunch of cattle near our place, Briscoe, whose horse was tired, requested me to let him have Shuck for cutting out his cattle. Briscoe was peculiar about his horse equipments. He rode with a very loose saddle girth, generally a weak one; his stirrup leathers were poor, and his entire outfit was not strong. His idea was that if his horse fell or anything happened he wished his rigging to give way so that he would not hang in his stirrup or be dragged, as was often the case. On mounting Shuck I cautioned him about the pony's quickness and manner of dodging, so different from his horse

Comanche, a great favorite. I advised him to put another saddle on, which he refused to do, mounting upon his own. He began his work, and for a time everything went well. He was a good rider and very careful in parting stock. He had gotten out quite a number when he encountered a wild and contrary yearling, of all stock the most difficult to cut out. In making a rapid movement the yearling stopped suddenly, turning very quickly back towards the herd. Just as I expected, Shuck, as was his wont, turned at right angles to head off the animal. Friend Briscoe with his saddle went in one direction and Shuck in another. He was badly shaken up, but fortunately not injured. Had his equipments been strong I think he would probably have not fallen. After getting up, however, he insisted that he preferred it his way. He did not try Shuck any more, finishing his work on Comanche.

Speaking of excitement in driving cattle reminds me of a day when I had enough of it. While putting together several thousand head some four miles from my ranch, in company with Briscoe, Allen and others, I was driving to the herd a three-year-old bull belonging to Mr. Allan Coward. My animal was an extra fine one to be driving cattle on, and had little experience in the work. The bull, infuriated at being driven, turned upon me and made a rush and lunge. Barely missing my thigh, he tore a desperate wound in the side of the mare, causing the fat about her paunch to protrude. After doing this mischief, fortunately for me he kept on his course. My friends came to me immediately. The mare was walked to the house, the protruding matter replaced, the wound stitched up, and she recovered, doing good service for years, although her appearance was somewhat marred by a large lump remaining on her side.

The roughest work we had was at Junker's Cove, and it was not only hard but attended with considerable danger. This was a very "thicketty" country on our range, situated in Harris County, about twenty-five miles below Houston, between the waters of Clear Creek and its tributaries. The thicket was quite dense and it was a great harbor for wild cattle. These cattle became so wild that they never fed out of the woods into the small prairies near by except at night, and then it was almost

impossible to get them beyond their usual grazing ground out into the big prairies. They finally became so bad that a large number of us would assemble, riding for miles in their rear, those who were expert with the lasso being ready to rope his animal as soon as one was discovered by them, for to the thicket they would instantly return, running over man and horse in their fury to reach their hiding place. It so happened, however, that a few would be roped at each run. The next question was how to proceed with these. As soon as they were thrown they were tied, holes punched or cut in their eyelids, and these drawn together with hair taken from their tails, so that they were perfectly blinded, their eyes being sewed up. A small, gentle herd was always held near at hand with good herders, and this gentle herd would then be driven around the tied cattle, which would be let up by the ropes holding them down being displaced by the expert cattle roper. Not having sight, they would stay with the gentle herd, and in that way we could drive them off to a new range, where, after their sight was restored to them by cutting the hair, they would generally remain.

On one of those moonlight drives my brother Tom Lubbock was with us as an amateur, and although an expert rider and good cowdriver, he was run over and quite severely injured, nearly losing his life. Many accidents of like character would occur, though fortunately we never lost a life in this way. But I have known cattlemen, expert riders, to break their necks in Texas.

I shall never forget a terrible fall I encountered in running cattle near the battleground of San Jacinto, and that I did not break my neck where other men were made immortal, was destiny. One of the small bayous had become covered over with weeds and brush so as not to be perceptible. I was running at full speed a cow-horse that the boys had dubbed the Flying Dutchman, because he was rather more fleet than the usual cow pony. I dashed him under whip and spur into this place after a yearling. We went down together. My friend Allen was with me in a moment, expecting that both horse and rider were killed, for neither stirred until lifted out. I was for a while senseless. No bones were broken, however, and in a few hours I was running as usual, and my horse, extricated and put upon

his feet, was next day as good a Flying Dutchman as before his fall.

Among the incidents of a cowdriver's life I remember well a remarkable experience with a bucking or pitching horse. In one of our drives we had been out for a very long time. The prairies were very wet and our horses were about broken down. Camping at Asa Abshire's, a stockman on Clear Creek some fifteen miles from home, he proposed to sell me a stout, strong-looking pony about nine years old. He was what is known among horse-breeders as a "stag" horse and came from Louisiana. I purchased him and we started for home, when he appeared all right. But after crossing a creek and riding a few miles, without any apparent cause he began bucking or pitching. It proved the fastest, hardest, and longest pitching spell that I ever encountered. After a time my bridle-bit, a new one, gave way, and I had to ride with a halter. I depended alone upon my fine spurs to hold me in the saddle. I soon became very blind, and made up my mind deliberately to give up, take the chances, and fall off. At this moment my ever good friend Briscoe rode up, cheered me, and said, "You can ride the brute; stick to him; do not fall—it is too hazardous." Were you ever in a fight with another boy and about to give up, and then have a big boy tell you, "Don't give up and you will whip the fight?" So it was then. I straightened up, determined to stay in the saddle. The vicious horse would stop pitching when about as tired as I was. Then when I would attempt to get off he would endeavor to kick or bite. Finally he was roped around the neck and by one of his fore feet and straightened out so I could dismount. Upon making a survey of the damages we found the bridle broken, the saddle, although newly trimmed with the strongest and best findings, all pulled and strained, the strings snapped in two, and the skirts badly marked by the rake of the spurs, showing the service they had performed in keeping the rider in the saddle. And as for the rider, fortunately he was not many miles from home, and one of the broken down horses was mounted, the slow riding suiting his condition admirably. We had a Mexican along, a very good horse-breaker. I offered him five dollars if he would ride the horse home. "No," he said; "I no ride Louisiana stag. I rather ride pitching Spanish horse."

Not one of the party would ride him, so he was driven along with our loose horses. On getting home it was found that the aforesaid rider cowboy was raw from his ankles to his thighs, and for days could not get about. Next day I traded the miserable brute for a brood mare to my horse-breaker Weed. He would and could ride anything with hair on.

During a hunt on the Brazos one evening when we were pursuing the cattle at Cartwright's, I was driving up a yearling. There had been rain and the ground was slick. When quite near the pen he broke back for the prairie, I pursuing, and in making a quick turn Shuck slipped and fell, taking me down with him. I kept my saddle, and as I lay with my left leg under him, he falling on his side, I pressed him hard with the spur on my right heel. He was up in an instant and the yearling was followed, brought back, and put in the pen amidst the plaudits of the cowboys, I having never left my saddle. On going into camp after my fall it was found necessary to cut my boot off, the ankle was so badly swollen, and I was compelled to quit the drive and return home. But I was all right again in a few days.

Not long after this we had some fun that was more fun to the others than myself, and I was taken down a few notches.

Allen, Coward, Hill, the Dobies, and others with myself made up the party. When we came to the Chocolates we found the bayous very high and crossing difficult. After searching for some time we found an immense pine tree that had fallen across the bayou with the top on our side and the butt on the opposite. The water was flowing over it at considerable depth. By means of connecting our cabrasses and lariats (hair ropes and rawhide ropes) together, we stretched them along the tree and across the stream that we might have a hand-hold to keep us from drifting off the trunk, for the current was very rapid. Our horses were stripped, and after swimming them over we commenced crossing, each one with his blanket, saddle, and other traps on his shoulders. I was perhaps the shortest man of the party and waited to see them all over, bringing up the rear. It was early spring and the rain and norther made it very cold. I said when starting, "Now, boys, tell me when to leave the tree. It is cold, and I wish to get over as dry as possible." Cautiously walking the tree and holding to the ropes so as not to fall into

the stream, I was told at a certain place, "Now is your time to get off." I did so, the water, as cold as ice, taking me about my armpits. I was angry—very angry, foolishly angry. I conceived that I had been tricked, unfairly dealt with. I so said, and abused my friends, behaving most ridiculously. It will not do to write down what I said, but what I did say I suppose is making blue streaks through some place in the universe even now. It is sorrowful to think that every word spoken, be it ever so bad, rolls on forever as a certain lady says it does, with a lot of talk about energy and force that I do not understand, and maybe nobody else does. But I knew it made me wish that I had been a church member earlier, so that I would not have turned loose such unlovely words to go down the ages forevermore.

To add to my discomfiture, my South Carolina friend Hill, who had large and beautifully white teeth, was grinning behind a tree so that I could just see his ivory, and I became very severe on him. Finally a stop had to be brought to all this nonsense, and Hill emerged from his tree and said: "Lubbock, I know you to be a fine horseman, and you can stand as much labor as any man of us. I know you to be proud of your accomplishments as a horseman and your great endurance as a cow-driver. I know that you consider yourself when mounted equal to any man, and I admit it. However, I did not think that you were vain enough to suppose that you could wade through water and get wet no higher up than men who are more than a foot taller than you." There were several of the party six feet high and upward. I at once took in the situation, saw how ridiculous my behavior had been, apologized in the most abject manner to my friends, including our darkies who were with us, and stored up in my memory a most valuable lesson for my after life. Little men should not attempt to wade with big men, either in water or finances and politics, without expecting to get wet higher up, even to the armpits.

I think Weed was the laziest man I ever knew. A few notes of his career will show how easy it was for a man to live in Texas with very little labor and capital. Buck Henderson, living in Houston, finding that Weed was breaking my horses, volunteered to tell me somewhat of his history. He was a horse-breaker in Louisiana. Henderson met him as he crossed the

Sabine, when he had a light **Louisiana cart**, wood wheels and no tires, a yoke of yearling beeves hitched to the cart, some little plunder, and a young and pretty wife. He stopped in Texas on the Sabine and engaged in horse-breaking. The next year Henderson in traveling west saw him as he stopped on the Neches. He had the same cart, his yearlings had become two-year-olds, he had a new pair of yearlings, more plunder in his cart, the same wife, and a baby added. After spending the year here breaking horses Henderson saw him cross to the west of the Trinity. He had then a small two-horse wagon, his two-year-old steers were good three-year-olds, his yearlings had become two-year-olds, and he had a pair of yearlings in the lead. He had a chicken coop attached to the wagon, the wagon was full of plunder, his wife was with him, looking well, and he then had two boys, and behind the wagon a mare and a colt. Finally Weed reached my ranch with about the outfit named. Henderson said, "Your horse-breaker is a moving, prospering man."

He soon made a contract to break my horses. He was permitted to occupy a vacant house. Close to this he would have several horses in hand staked out in the grass. He would have his wife by daylight to make coffee for him, and you would suppose he was up for a morning's work. Not so. His wife would milk the cows that she was permitted to milk, and Weed would stay about the house, not even moving his horses until after a late breakfast, contending that it was best for the young horses not to handle them too soon in the morning.

One fall, after the season for breaking horses was over, he applied to me for some work about the farm. I said, "Weed, we want to fence in a good pasture and rearrange our cowpens. Rails will be needed, and you shall have one dollar a hundred for all rails split; and you can work all winter." He jumped at the job, but he had to be furnished with axes and wedges. All were immediately purchased for him. After splitting a very few rails he reported that it was impossible for him to continue the work; that many years ago in breaking a bad horse his back was injured, and he could not maul rails. "Mr. Lubbock, can you give me something else?" "Well, there is a field of fine crab grass that should be saved. The boys are busy in the prairie.

Suppose you go at that. It will give you work for some time." Certainly; he would begin immediately. He must have a scythe and scythe stones. All right; they were at once purchased. In a day or two, all things being ready, I left him in the field in the crab grass. That morning I rode up to Houston. While standing upon the corner of Congress Street, I saw a man riding very rapidly toward me. Soon recognizing the horse, I became alarmed, fearing something was the matter at home. Hastening to meet the horseman and finding it to be Weed, I said nervously, "What in the world is the matter?" "Oh, nothing," he calmly replied. "Nothing. Knowing you were anxious about saving the grass, I thought it best to come and tell you that in attempting to cut it my wrist gave way. Many years ago in breaking a bad horse my wrist was badly injured, and I find I can not cut the grass. Mr. Lubbock, is there any other job you can give me?" "Go away," I said, "and wait until horse-breaking season comes again. You are fit for nothing else. You will do nothing else. You are the laziest white man in Texas." For several years he continued in my service, and he was good at horse-breaking, an occupation of which a man becomes very fond, however lazy he may be in other employments. Many of our negro boys were fine horse-breakers. However, we preferred saving their "backs and wrists."

I had a number of negroes, good men and efficient workers. In Osborn and William I owned two boys very valuable both for their honesty and intelligence with cattle and horses. After they became free they were employed by stockmen, receiving high wages. But my best cowboy and most expert rider and horse-breaker was Willis, or Cy. Brought up by a Louisiana stockman who gave him many privileges, he had a brand of his own and possessed a small number of horses and a good herd of cattle. For some cause he had been sold and he was not satisfied with his next owner, who had none besides him. A negro was generally disgusted when he was just "one lone nigger in the cornfield." So not satisfied, he took to the woods and stayed there. By some means he sent a message asking me to buy him; that he was a good stockman and would render me valuable service. I said that I would like to have him, and his owner having heard it, sold him to me. He had

a kindly heart, which was illustrated once while on a cow hunt. He saw what he supposed to be a black wolf out on the prairie near the Brazos bottom, and gave chase. After coming up with his game he found his wolf was a bear. He lassoed it, and thus tied to his saddle by jerking it about he finally managed to kill the brute by choking it down and beating it with his stirrup. Upon arriving in camp he told the story of the capture, and, moved almost to tears, declared it would be the last time that he would ever tackle a bear, "for dere is human in 'em, sure; it begged and moaned just like a human."

He had a great desire to be free, so he could manage his stock to suit himself. I sold him his freedom, he paying me a portion of the money. Subsequently he interceded with me to assist him in purchasing for himself his children and wife, a fine, handsome woman, and a good wife to him. He paid a part down and I guaranteed the balance. In the meantime the war came on, and when "freedom came," as the darkeys say, he owed me a part of his own purchase money. This I lost, and I had to pay the debt I assumed for the purchase of his family.

One of my best negroes was Louis. I remember an amusing pass with him upon one occasion after I went into politics. Returning home about dark after an absence of a few days, on stepping from the hall into the yard I was seized by the calf of the leg and violently shaken by a dog. Fortunately I had on a pair of good high topped boots and managed to throw the brute off without sustaining any injury. I at once got my shotgun, determined to kill him. The load had been discharged during my absence, and some delay ensued in obtaining ammunition. My anger having somewhat abated, I repaired to the door to inquire what dog had attacked me, when I was referred to Louis. I said to him, "Was that your dog that attempted to bite me?" "Yes, Mass Frank," he replied. "Well, Louis, I would have killed him had my gun been loaded, and do you take him away by morning. I never keep a biting dog myself, and I certainly will not have one about the place that does not know the owner of it." He rejoined in the most innocent manner possible, "Mass Frank, you can't blame the dog because he don't know you. You aint home 'nough dese days for the dogs to know you." This answer created much merri-

ment, and was quoted to me by my wife quite frequently about that time.

I never was a dog fancier. In fact I despise most dogs, and never would keep one about my home that would bite a human being. I did however at this very time own a dog, mastiff and bull, one of the finest specimens I ever saw, and he was beyond price. He was almost as useful as a good stock boy. He was so intelligent that he would go in the prairie and drive up milch cows. He would guard the gap and let out only such calves as you desired to turn from the pen. If ordered to do so he would bring by the nose the most unruly beef from the prairie to the cowpen. I could make him catch anything from a horse to a pig, but I never did know him to offer to bite a human being. He was finally killed by a wild boar through a neighbor's bad judgment in setting him on it.

The marketing of cattle when I was a ranchman was a different thing from the present time. In 1845 and for several years afterwards Galveston and Houston, then small towns, consumed but few cattle, and had a large scope of country well stocked to draw their supplies from.

In driving to Galveston there was no way to get across the bay except in small sail boats from Virginia Point, carrying from three to seven beeves, and we could not make the trip unless the wind and tides were favorable. Sometimes we were compelled to remain there many days before getting over a few head.

At Houston there was an establishment for the slaughtering of cattle for the hide and tallow. They would give from one to one and one-quarter cents per pound net weight, they claiming the privilege of slaughtering, and they would take the neck off pretty close to the shoulders, the shanks off, and hang the carcass up to drip all night; so that it took a pretty good Texas three-year-old to bring you four dollars and a real good beef to bring you five dollars. The butcher gave a little better price, but the consumption was so small that the stock people had to sell to the tallow company.

At that time Texas furnished many cattle to New Orleans. They, however, from our section were driven overland, a long, tedious, and expensive trip, sometimes very disastrous in conse-

quence of the many rivers to cross. Some years after this state of affairs we had the Morgan steamers running from Galveston to New Orleans. Then our cattle would be driven to Buffalo Bayou below Harrisburg, put on barges taken to Galveston, then loaded upon the steamer for New Orleans and landed at the stock landing. It was a hard trip, and if the voyage was rough the cattle were badly bruised and sometimes there was considerable loss.

S. W. Allen and myself were largely engaged in this shipping business, keeping one or two steamers chartered for our own use.

Subsequently when the railroad to Brashear City on Berwick's Bay was completed and the Morgan steamers connected with that railway, our cattle were shipped by that route, which was much shorter and safer for the stock than the outside passage by the Balize. Shipments were made by this route until the railroad was completed from Houston to New Orleans, when the traffic was transferred to that line. This last was after I had quit the business.

We made much money in those days in the purchase of stocks of cattle by hundreds and thousands, shipping the calves and yearlings and fat cattle, and taking the large profits to repurchase and ship again, keeping up a continual traffic. When the War between the States came on it put a stop to this profitable business of ours. We resumed it after the war was over. In a short time, however, I betook myself to other employments.

Soon the Northwest was opened up to us by railway, and to-day Texas cattle are found in the markets of the world.

In other points besides transportation the cattle business has undergone a great change. In 1847 I lived upon my little place and had a vast territory of millions of acres of land unfenced, with grass entirely free for my cattle. My brand was recorded in Harris, Galveston, Brazoria, Fort Bend, and Austin counties. Some men would rent a small tract of land and have the same privilege, and at times others would merely squat down at a "water-hole" and enjoy the same benefits and no complaints be heard. After a while, as settlers began to come in, you would hear mutterings from some about things being too free. Then in the course of time, some ten or twelve years ago, the State

began to look after the "children's grass," as that on the school lands was called, and passed laws making it a penal offense to graze and herd stock upon the public school lands unless the same were leased. This soon led to cattlemen fencing in their land, so that now there is not much actual free grass in the State, grass for the most part being in large pastures; thus it requires much capital to run an extensive ranch whether you own or lease the land.

This interest received a very severe shock a few years since. Prices became inflated, and the cattle kings purchased large bodies of land and great herds, when prices tumbled and crushed many in their fall. However, things are now looking better.

Texas is a fine cattle raising country. It is particularly good breeding ground. Cattle mature very early; heifers calve at from eighteen months to two years old; the seasons are mild, and there is little or no disease on the open prairie. I have long been of the opinion that it would be more remunerative to the stockmen of Texas to reduce their herds to better improved breeds, provide for them in the cold winters, and market all while young, except such large cattle as they may be able to feed. Thus so much pasture land will not be necessary. The cattle business is a nice, clean, profitable one, and will pay if intelligently conducted. I speak of neat cattle mostly, because I have had much experience in that line. Horses and sheep do well in Texas. Particularly is the raising of mules remunerative; and there is no farmer in the State with a reasonable number of acres that can not in addition to his usual crops rear for his own use his oxen, horses, mules, milch cows, hogs, and muttons.

CHAPTER EIGHT.

Honors to President-elect Houston En Route to the Capital—His Inauguration and the Inaugural Ball—Appointments by the President—Comptroller Again—How Austin Then Appeared—Resign the Comptrollership and Return to Houston—The Workings of Retrenchment—The Exchequer System in Finance—The Vasquez raid—Called Session of Congress at Houston—The Woll Raid—Volunteers—The Somervell Expedition—Dissensions and Disaster at Mier—The Texas Prisoners—Congress at Washington—Depreciation of the Exchequers—Seat of Government Troubles—Complimentary Resolutions to President Houston

A few weeks after the election General Houston and lady had quite an ovation given them by their home people at San Augustine, including a grand ball at night. This was shortly followed by a kind of ratification meeting by his friends at Nacogdoches and Crockett, in which very complimentary resolutions of respect and confidence in the hero of San Jacinto were passed.

Not to be outdone, the friends of Old Sam in the city of Houston called a large meeting (of which I. N. Moreland was chairman and I the secretary) and offered him the freedom of our city. Accordingly, the President-elect, on his way to Austin, visited us and received a royal welcome.

Met at the suburbs of the capital city by an imposing procession, civil and military, General Houston was escorted to the Eberly House, prepared for his reception.

I was not present at the inauguration of President Houston at Austin, but I gathered this account of it from contemporaneous newspapers and other sources considered reliable:

After several days of elaborate preparation, the inauguration of General Houston came off at the old wooden capitol, on December 13, 1841. The day was beautiful, and thousands had collected from every part of the Republic to witness the imposing ceremonies. To accommodate the sightseers, who swarmed on the ground at an early hour, a staging had been erected, and seats prepared under a beautiful awning spread in the rear of the capitol. These seats were occupied by both houses of Con-

gress and a brilliant assemblage of ladies and gentlemen. President Lamar and President-elect Houston were escorted in military style by the Travis Guards from the President's house to the capitol. President-elect Houston and Vice-President-elect Burleson, attended by committees, made their appearance at 11 a. m. Prayer was offered by Judge R. E. B. Baylor, and the Speaker of the House administered the oaths. When General Houston kissed the book as a seal to his official oath, one of the "Twin Sisters" belched forth her hoarse approval, and the multitude, taken by surprise, joined in with bursts of applause.

On conclusion of the ceremonies, both houses of Congress dined with the President, on his invitation, at the Eberly House.

The inevitable inaugural ball followed at night. The Senate chamber on this occasion was tastily decorated with the Texan and the American flags and the Mexican standards captured at San Jacinto. A very beautiful transparency of the words, "The Laws and the Constitution," surrounded by a star formed by burnished bayonets and supported by a well-arranged ground of muskets, attracted general attention and admiration.

General Houston was present, adding to the gayety of the occasion by his extreme affability; but there was a general regret at the absence of Mrs. Houston, detained at Galveston by ill health. The beauty and chivalry of the Republic filled the room to overflowing, and the festivities, lasting till the still hours of the morning, passed away joyously.

The President's first appointments made known were: Anson Jones, Secretary of State; Geo. W. Hockley, Secretary of War; Geo. W. Terrill, Attorney-General; Asa Brigham, Treasurer; Francis R. Lubbock, Comptroller; Gail Borden, Collector of the Port of Galveston, and Jas. Reiley, Charge d'Affaires to the United States.

All these nominations were confirmed at once by the Senate.

The notification of my appointment was written by Wm. D. Miller, his private secretary, and bears Houston's characteristic autograph. People used to say that he made it so as to read "*I am Houston.*"

On receiving my appointment I repaired by stage at once to Austin, where I received a cordial greeting from the President, then domiciled at the Eberly House.

Executive Department,
City of Boston, Dec. 22^d, 1841.

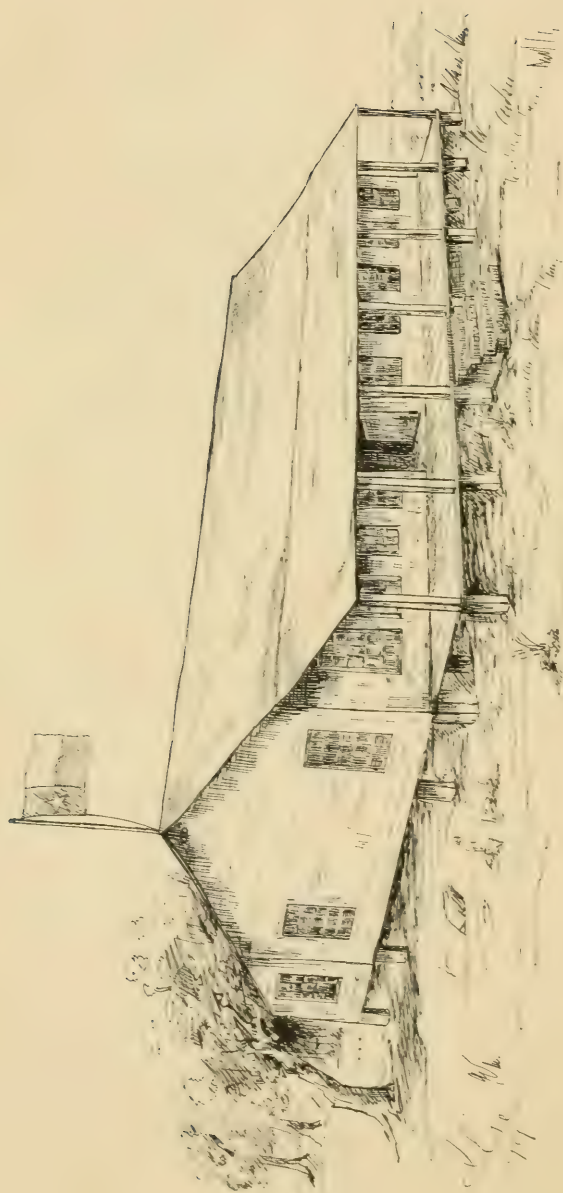
The President requests F. R. Lubbock, Esquire, at his
earliest convenience, to take charge and proceed in the or-
ganization and performances of the duties of the officers
of Comptroller of the Republic of Texas, conformably to law.

The President has the honor to be

very respectfully,

this 20th Inst^d,

Samuel Houston



FIRST CAPITOL BUILT BY THE REPUBLIC.

At that time Austin was quite a village, having only about 800 inhabitants. On the exposed frontier the town was occasionally raided by Indians, who stole horses and murdered people in close proximity to the capitol. At nights I felt safer at my quarters than on the streets, and you were pretty sure to find a Congressman at his boarding house after sundown. Whether owing to the disappearance of the Indians or not I will not say, but it is certain that our modern legislators travel around more at night than did their honorable predecessors.

The capitol then stood on the corner of Eighth and Colorado Streets, and faced Congress Avenue. It was a one-story frame building made of lumber from the Bastrop pine mills, and erected on the site of the present city hall.

The most elegant looking building was the executive mansion, a neat two-story frame building painted white. St. Mary's Academy now stands on the same site. It was not occupied at the time by the President, as Mrs. Houston was absent and said to be visiting relatives in Alabama. The other public buildings of Austin, then scattered along the avenue or at a little distance from it east or west, were but rough little shanties.

I qualified and assumed the duties of the Comptroller's office, which I held but a short time. I was clerk of the District Court of Harris County when I was appointed Comptroller, and I now had to choose between these offices. My home being in Harris County, and the clerk's office being then more lucrative, I resigned the office of Comptroller and returned to Houston, preferring the office of clerk.

The President then made me one of his aids, and I served on his staff as aid during his entire term, with the rank of colonel of cavalry.

The Sixth Congress proceeded promptly to complete the reforms of the Lamar administration before the inauguration of General Houston. This was accomplished by "An Act to abolish certain offices therein named, and to fix the salaries of the officers of the civil list," etc.

The offices of Commissioner of Revenue, Stock Bureau, Translator of the General Land Office, Commissary of Subsistence, Quartermaster and Paymaster General of the Regular Army were abolished.

As to salaries, the President was cut down from \$10,000 to \$5000 per annum; the Vice-President and Attorney-General from \$3000 to \$1000; Secretaries of State, Treasury, and War and Navy (consolidated), from \$3500 to \$1500 each; the Chief Justice of the Supreme Court, from \$5000 to \$1750; chief clerks of various departments, from \$1500 to \$600, and so on down the list in the same proportion. As an evidence of their patriotic sincerity, the Congressmen did not forget to cut down their own per diem from \$5 to \$3.

There had been such a howl over Lamar's extravagance that it must have been with a kind of grim satisfaction that he signed this retrenchment law for the benefit of his successor two days before coming into power.

The first thing for the new President was to devise another financial system and to adjust his administration to the different conditions. The government paper had depreciated to about 15 cents on the dollar, and the Republic was without cash or credit.

So the Congress, on Houston's recommendation, adopted what was called the exchequer system. Bills not to exceed in amount \$200,000 were to be emitted, receivable for all public dues at par with gold and silver. With reviving confidence, this plan promised well, and the exchequer system was pronounced a success at the beginning and before any test. Bills only to the extent of \$50,000 were issued at first to pay the necessary expenses of the government, and then more, according to the financial pressure. To be all right the exchequers only lacked some tangible redemption fund.

Under an apparent reduction of salaries, the officials under the Houston administration were for a while better paid than their predecessors. The public debt at the close of Lamar's administration was estimated at \$7,704,328. This was the high water mark of the Republic's indebtedness, the only subsequent increase being from interest. The funded debt at this time was roughly put at about \$2,000,000.

As a cause for extraordinary expenditures, Lamar pleaded: an Indian war inherited from Houston's former administration; the expulsion of the Cherokees; the assertion of the right of Texas to Santa Fe by the Santa Fe expedition, and the pro-

tection of the Rio Grande frontier so effectually as to prevent Mexican raids into Texas. Besides this, the rapid depreciation of Texas paper money, like that of all other countries when not properly secured, made the expenditures towards the end appear frightfully large.

Early in March came the news of a Mexican invasion. Congress had already adjourned and left Austin, and General Houston was at Galveston. Vasquez, with about 800 raiders, had struck San Antonio and threatened Austin. General Burleson, with a considerable force, hurried to the scene of action; but the enemy, after plundering the city, had fled. Meanwhile the President, thinking the archives in danger, ordered them removed to the city of Houston. This order enraged the residents of Austin and vicinity, but there seemed to be a general approval of it elsewhere.

In the special session of Congress at Houston, in the summer, the most exciting thing was the bill for offensive war against Mexico. The bill seemed calculated to allay the public feeling on the then recent Mexican raid. Houston seemed to favor the bill till it passed both Houses, when he vetoed it on constitutional grounds. The veto called forth a storm of indignation from the volunteers in the proposed invasion; but the people were doubtless satisfied.

Congress being checkmated in their attempt to carry on "offensive war against Mexico," hastily adjourned without passing any defensive measures to meet the enemy. The bad effects of this failure to put the country in a proper posture of defense soon appeared. The Mexicans, now thinking that they could raid with impunity on Texas, made what is known as the Woll raid.

On September 11, 1842, General Woll with 1300 men completely surprised and captured San Antonio. The city was plundered a second time during the year and more than fifty citizens carried off as prisoners, including the judge of the district court then in session, our former Judge and ex-Lieut.-Gov. Jas. W. Robinson, District Attorney George Blow, Sam Maverick, John Twohig, and George Brown. Colonel Caldwell, Captain Hays and others rallied a small force and engaged the enemy as best they could. In this fighting around San Antonio

Captain Dawson and company of fifty-three men were surrounded by superior numbers of Mexicans and all massacred but ten or twelve. On the 20th, Woll, without serious damage, began his retrograde march to the Rio Grande. Meanwhile thousands of gallant Texans had crowded to the scene of action, but the foe had fled with his plunder and prisoners.

The news of Woll's capture of San Antonio reached our city on the 16th of September, and the President immediately made a call for troops. In response, the Milam Guards and Mosely Baker's company, with Sherman's cavalry, volunteered, and set out in a few days for the seat of war. We arrived at Columbus in the latter part of the month and remained there in camp till turned back by orders of General Somervell as not being needed, for the reason perhaps that Woll had already retreated.

We accordingly returned home, but Thomas S. Lubbock, commanding N. O. Smith's company, marched on to San Antonio. The President promptly appointed Gen. A. Somervell to command the forces in and around San Antonio. The general reached San Antonio about November 1st, finding nearly 1200 men on the ground. The soldiers preferred Burleson as a commander, and the greater part of Bennet's regiment from Montgomery returned home. The remnants of commands were consolidated into a regiment under Col. Jos. R. Cook, Lieut.-Col. Geo. T. Howard, and Maj. D. Murphree, and a battalion under Bennet. John Hemphill was the adjutant-general, and Col. Wm. G. Cooke the quartermaster.

After a long delay, on November 29th—two months after Woll's departure—Somervell with about 750 men set out in pursuit. Houston's order of October 3d to Somervell read thus: "You will proceed to the most eligible point on the southwestern frontier of Texas and concentrate with the men now under your command all troops who may submit to your order, and if you can advance with a prospect of success into the enemy's territory, you will do so forthwith. . . . You will receive no troops into your command but such as will march across the Rio Grande under your orders if required by you so to do. If you cross the Rio Grande, you must suffer no surprise."

This order of the President clearly indicates that an effective campaign on the Rio Grande was expected.

Laredo was occupied by the Texans early in December. The evening of the next day they marched, as ordered, down the Rio Grande on the east side. At the next day's council of war eleven captains voted in favor of crossing the river and fighting the enemy. As to a commander, the whole army without a dissenting voice voted for Somervell when he said that he would lead them towards the enemy. Later, 200 out of the 740 present voted to return home, which they at once proceeded to do under the leadership of Colonel Bennett and Capts. Jerome B. and E. S. C. Robertson.

Somervell crossed the Rio Grande with his army December 14th. General Canales with 700 men appeared in front. The Texans were restrained by their commander from attacking the enemy then in sight. After an ineffectual effort to get suitable rations, the next day Somervell ordered the army to recross the river back into Texas. The order for the march back to San Antonio was issued on the 19th. Only about 200 men obeyed, from convictions of duty to the legal commander. Among them were: Capt. P. H. Bell, afterwards Governor; John Hemphill, later Chief Justice; Lieut. Thos. S. Lubbock, Lieut. John P. Borden, Memucan Hunt, Lieut. Moses A. Bryan, Lieut. John Henry Brown, Ed. Levin, Capt. Jas. A. Sylvester, and the staffs. The majority of the army, 304 men, refused to obey Somervell's order, chose Colonel Fisher as their leader, and marched down the river. Col. Thos. J. Green commanded the Texan flotilla, on which were my old Major Bonnell, now acting as lieutenant, and Dr. R. Brenham, acting as surgeon. On the night of the 21st of December the land and naval forces camped together at a point seven miles above the town of Mier. The next morning Capt. Ben McCulloch with a few picked men reconnoitered the town to ascertain the presence and numbers of the enemy, if any, in that vicinity. On his return Colonel Fisher crossed the river with his army and occupied Mier. A requisition for supplies was duly made upon the alcalde, who was taken to camp by Colonel Green.

A few days later they learned that supplies started to them from Mier had been intercepted by General Ampudia with 700 men, then reported to be in the neighborhood. Left to a vote of the army, it was unanimously resolved to cross the Rio Grande and attack the Mexican army.

Late on the same day, December 25th, Colonels Fisher and Green with their forces passed the river and at once engaged the enemy. The fight continued favorably to the Texans till next day, when Colonel Fisher, being wounded, was induced to surrender his little army of about 300 men as prisoners of war. General Ampudia, who had more than 2000 men, stipulated "to treat all who will give up their arms with the consideration which is in accordance with the magnanimous Mexican nation."

These terms were wholly disregarded. The Texans were treated as felons and decimated for an attempted escape. It was Waddy Thompson, the American Minister to Mexico, that kept them all from being shot. Whether their acts were authorized or not, the Texans had surrendered as prisoners of war, and all fair-minded men held that the terms of surrender ought to be observed.

Ultimately Mr. Thompson obtained from Santa Anna the release of all the survivors of the Santa Fe and Mier expeditions, and received for his kindness the thanks of the Texan Congress.

In October the President issued his proclamation for an extra session of Congress to convene at Washington on November 14th. The members of Congress came in so slowly that there was no quorum for business for about two weeks. The dissatisfaction about the removal of the seat of government may have contributed to their delay. The reasons for the last removal appear to have been on the commendable ground of economy, to avoid the annual payment of \$5000 for the use of the capitol building by the government; and further, it appears from a statement of President Houston (in answer to a request for information by the Senate as to the McFarland account against Texas) that "W. Y. McFarland proposed on the part of the proprietors of the town of Washington that they would remove the papers and public stores and also furnish comfortable rooms for all the officers, to provide and furnish suitable buildings for the honorable Congress in which to meet and hold its sessions. All of which was to be done without cost or expense to the government."

Whether Judge McFarland ever got pay for his trouble and

expense or not I do not now remember. Perhaps not, as Washington ceased to be the capital in 1846. As a fact, however, the upper rooms over the two saloons were used as legislative chambers for a while at least.

The Mexican raids and removal of the capital had affected the public credit and the finances were again in an unsatisfactory condition. The exchequers had depreciated to 25 or 30 cents on the dollar, though only \$125,000 in those bills had been issued. With all the economy in abolishing or amalgamating the offices and reduction of the official salaries, the government was still driven to the most desperate straits for existence. Hence President Houston's bargain with Judge McFarland to save money.

For the failure of the exchequer system up to this time, the President blamed Congress for not giving him authority as requested to hypothecate and sell the Cherokee lands as a redemption fund, and for the six months postponement in the collection of the direct tax. And as a relief, he recommended the prohibition by law of the circulation in the Republic of all notes of individuals, corporations, or of foreign banks.

Not halting in the work of retrenchment, the finance committee recommended the recall of all our foreign representatives abroad and the abolishment of two more departments. The duties of the Treasury Department were to be done by a clerk in the Treasurer's office, and the amalgamated Department of War and Navy was to be squeezed into the office of the Secretary of State, which had already swallowed up the Postoffice Department.

To what extent would this spirit of retrenchment go? Old Sam himself could not be abolished, but evidently he was in danger of being amalgamated with Vice-President Burleson or some other unfortunate patriot.

But this was only a dread foreboding never to be realized. The government could sacrifice no more—the bottom had been reached in retrenchment: henceforward all changes will be for the better.

In concluding their suggestions, the committee indulged in these sage reflections: "It is a fact which none will now deny that our government commenced its operations in 1836 on a

scale entirely too magnificent and with a prodigal expenditure much beyond the means of the nation and its impoverished condition. The evil was then seen and its effects predicted by some."

There was endless trouble about the seat of government. There were numerous efforts in each house to enact a law to remove the capital back to Austin, and in some instances to blame the President for a stretch of authority in first ordering the removal of the archives to Houston. The Constitution provided that the archives should remain at the seat of government unless removed by permission of Congress, or unless in cases of emergency in time of war the public interest may require their removal. Houston's argument was "that the emergency did exist for their first removal, as shown by the fact that for their security the archives were buried, and that the causes which first existed under the provisions of the Constitution for their removal by the executive still exist with undiminished force," perhaps referring to the exposed condition of Austin on the frontier from both Indian and Mexican raids. On the other hand, there was a strong but unsuccessful effort to locate the seat of government permanently at Washington.

And looking to that event, perhaps, President Houston ordered Captain Smith with twenty men to proceed, as if going on an Indian raid, to Austin and bring to Washington the archives of the Land Office needed for the dispatch of business. The defeat of this executive attempt to complete the removal of the archives by sundry citizens of Austin added to the public excitement on the question. And much useless crimination and recrimination was indulged in between the President and the archive committee. Finally a bill to return the archives to Austin passed both houses, but the President vetoed it on the ground that though now at peace with Mexico and the Indians, hostilities were liable to break out at any time, in which event Austin might be captured; that Washington was the constitutional seat of government; that the several acts of Congress fixing the seat of government elsewhere were all unconstitutional. The question went over to the Jones administration.

Houston's second administration was a stormy one. The financial difficulties, the Mexican raids, the seat of government

contention, the Regulators and Moderators in East Texas, and the Shelby County war all retarded the prosperity of the Republic. Nor was the official intercourse between the executive and legislative department of the government characterized by the usual spirit of urbanity in such cases.

The archive committee in their report, which lacked one vote of being adopted (signed by Tod Robinson and John Caldwell), dealt the President some heavy blows in reply to one of his messages on the subject of the archives.

The committee on Indian affairs, reporting through their chairman, Gen. Thos. J. Green, rapped the executive for his alleged slander of the Republic in his statement as to the treatment of the Indians by Texas.

And the committee on foreign affairs, composed of Levi Jones, Thos. J. Green, Wm. L. Cazneau, Sam A. Maverick, J. B. J. January, and L. S. Hagler, rebuked the President in severe terms for withholding information (asked by resolution) as to the matters then pending with Mexico and the United States.

But on Houston's retirement from office both houses of Congress by resolution vindicated him from all the charges in circulation against him, and commended his patriotic statesmanship.

So in the end Old Sam beat all his enemies and came out of the furnace unscathed.

The greatest of his triumphs was that of finance. In the midst of perplexities sufficient to unnerve a common statesman, Houston guided the ship of state from the shoals of bankruptcy to the deep sea of a "most healthy and prosperous financial condition." During his last year in office the expenditures had gotten to be within the receipts. The total expenditures of his administration were but \$511,000, including a bill of \$50,000 brought over from Lamar's administration. The Postal Department in its reduced condition was run on \$29,000, while \$252,970 was expended for mail facilities under Lamar.

As to his retrenchment policy, the President remarked in his last message: "Much hardship has been encountered and sometimes extreme perplexity endured by all the public officers from the fluctuations to which the currency has been subjected. But they have the satisfaction to know that although they have fre-

quently received less than one-half the compensation assigned them by law for their services, they have materially assisted in sustaining their country in the time of difficulty and need."

As early as the summer of 1843 Houston's friends were looking around for a suitable man to succeed "Old Sam" as President.

Hemphill and Henderson had each a strong following. A meeting at San Augustine nominated Lipscomb, and General Rusk was nominated by an enthusiastic convention at Nacogdoches. But Dr. Anson Jones, Secretary of State, seemed to be Houston's preference," and he finally got the field to himself under the implied pledge to carry out Houston's policies. In November, 1843, Dr. Jones received the nomination as President of the Republic from the citizens of Independence, and was notified of the same by Moses Park, J. M. Norris, and E. W. Taylor, as committee of correspondence. A few days later he received notice of his nomination at San Augustine from O. M. Roberts, W. Edwards, H. Griffith, S. H. Sweet, and A. Clark.

That Anson Jones was Houston's choice for President also appears from the *La Grange Intelligencer* of June 6, 1844, quoting from the *Vindicator* of May 25th these words: "Our all is at stake. Our candidate will continue the policy of General Houston in undiminished energy. Let us then toss to the winds all personal considerations and private feelings and vote for the man who can best subserve the interests of the country. That man is Anson Jones."

As put by the *Intelligencer* August 15, 1844: "Burleson—Annexation, Texas, and Liberty. Jones—Anti-Annexation, England, and Abolition."

Mosely Baker thus advised Burleson as to annexation: "Let your whole heart and soul and energies be constantly engaged in bringing about the annexation of Texas to the United States." —*Intelligencer*, August 4, 1844.

⁹ "If any one is to be preferred by my friends in a contest for the presidency, I am sure they will concentrate most readily upon the man who has sustained my administration by his exertions and capacity. * * * I can see no reason why my friends can not rally upon you, as you will most distinctly represent the principles which they advocate." Houston to Jones, August, 1845, Jones' Mem., p. 241.)

Meanwhile the opposition, or the anti-Houston party, had centered on Gen. Edward Burleson as their candidate for the presidency. General Burleson himself, though representing the opposition, was quite conservative in his views, approving part of Houston's policies and disapproving others. His promise to have returned the archives to Austin in the event of his election, however, made one square issue. But Jones weakened the effect of this by saying that he would not oppose the will of the people on that or any other subject. No truer man ever lived in Texas than General Burleson, and the worst thing said against him outside of his opposing Houston's policies was that he lacked the proper education for the presidential chair. The general was more familiar with the use of his sword than of his pen; and he had used that sword in the defense of Texas. And that was enough to condone for a multitude of faults otherwise.

But annexation was the coming test question in our politics.

Meanwhile a strange piece of diplomacy was being acted in Texas. Ex-Lieut.-Gov. James W. Robinson, one of the Woll prisoners taken at San Antonio, to effect his liberation from the Perote fortress, entered into an agreement with Santa Anna whereby he was to carry the propositions of peace to the Texans. From Robinson's representations, Santa Anna was led to believe that the Texans would submit to Mexican rule conditionally. At all events, in the spring of 1843, Robinson returned to Galveston with Santa Anna's proposition. An outline was published in the Galveston papers, but the official document itself from the hand of Santa Anna was delivered by Robinson in person to President Houston at Washington. The report of Robinson's arrival and the object of his mission excited considerable surprise, and when Santa Anna's scheme became fully developed men like Mosely Baker were indignant. It appeared that Santa Anna offered a general amnesty to the Texans on these fundamental conditions: That the Texans recognize the sovereignty of Mexico, her laws, ordinances, and general orders. In return for this, Texas was to be allowed to make her own laws and choose her own officials, civil and military, and that no Mexican troops should be stationed in Texas.

As a matter of good faith, perhaps, to Santa Anna, Robinson

made in the Galveston papers a plausible argument to show the advantage to Texas of a union with Mexico, cotton being insured under the Mexican tariff to bring 25 cents a pound.

But Robinson had to report the result of his mission, and did not know how to do it. President Houston relieved Robinson of his embarrassment and dictated the report himself. It was one of Houston's ablest state papers, and it accomplished the desired object. Santa Anna, not suspecting who was the real author, was utterly bewildered at the improved condition and prospects of Texas as shown in the report. Houston affected to treat Santa Anna's proposition with indifference. But not so. It really was the beginning of the end—annexation. The President managed, through the British Minister in Mexico, to have an armistice declared between Mexico and Texas. Santa Anna thought he saw his opportunity in this for the reincorporation of Texas into the Mexican Confederacy, and assented to the suspension of arms with a view to a permanent peace. As agreed upon, the Texas commissioners, George W. Hockley and Samuel Williams, met the commissioners from Mexico at Sabinas, not far west of the Rio Grande, about the 1st of October, 1844. The object of the Texans appears to have been merely to gain time to work up the annexation feeling in the United States and Texas.

Of course, the protocol for peace with Mexico, in which our commissioners, Williams and Hockley, admitted that Texas was a department of Mexico, could not be allowed, and President Houston rejected the document without ceremony as soon as presented to him, in February, 1844.

Taking advantage of the growing jealousy of the United States as to Texas being forced into a foreign alliance for protection, Mr. Van Zandt, our Minister at Washington City, was preparing a treaty of annexation in conjunction with Mr. Calhoun, for submission to the United States Senate.

The Texas question determined the presidential election in the great Republic. Mr. Van Buren opposed annexation, and was shelved by the presidential Warwick, General Jackson. James K. Polk, for his outspoken advocacy of annexation, got the indorsement of Jackson and the Democratic nomination for President.

The Whigs ran Henry Clay as their candidate, on an anti-annexation platform.

The Democratic slogan in the United States was: "Polk, Dallas, Oregon, and Texas; 54.40 or fight."¹⁰ Meanwhile President Houston had sent Minister J. P. Henderson to Washington to reinforce Isaac Van Zandt in the preparation of the treaty.

Henderson went to Washington City with these instructions: "If annexation is not effected at the present session of Congress, or if a treaty should fail and the action of Congress be ineffectual and they refuse to form an alliance with us, to call upon the English and French Ministers and ascertain the prospects of those governments giving us a guarantee against further molestation from Mexico and an indefinite truce."

The treaty, as perfected and signed by Henderson and Van Zandt on the part of Texas, and by John C. Calhoun for the United States, was defeated June 14th in the United States Senate by a vote of 35 to 16.¹¹ The contingency foreseen by Houston had now arisen. Annexation having been defeated, it became the duty of Messrs. Henderson and Van Zandt to present the case of Texas to the Ministers of England and of France, "to give us a guarantee against further molestation from Mexico." But President Tyler, though balked in his first plan, was not disposed to yield the point of annexation. The struggle henceforth of President Tyler to bring Texas into the Union and the Ministers of England and of France to keep her out, becomes a matter of absorbing interest.

After the rejection of the treaty in the United States Senate, Houston's policy seems to have been one of masterly inactivity as to annexation. That is to say, he would do nothing more on that line unless the United States made overtures. And who will now say that he was not right in that? This policy natur-

¹⁰ In allusion to the United States claim to Oregon as far north as 54° 40', and in default of getting that, to fight England.

¹¹ The treaty provided for the annexation of Texas as a territory to be governed as other territories of the Union till admitted as a State, and that our public lands, arsenals, and ships should be surrendered to the United States, in return for which that government was to pay the public debt at least to the extent of \$10,000,000. The defeat of the treaty turned out in the end to be a good thing for Texas.

ally caused some rabid annexationists to doubt his friendship to annexation, but that did not swerve him from his course. W. B. Ochiltree in his letter to Jones, April 13, 1845, expresses the general opinion: "The position of General Houston seems to be a matter of deep canvass between the parties; both claim him; all acknowledge the weight of his influence in either scale." (*J. M.*, p. 450.)

Democratic principles triumphed in the United States in the election of Polk as President, though by a narrow margin of the popular vote. Clay's letter in answer to certain inquiries, in which he said that personally he had no objection to the annexation of Texas, probably caused his defeat, as the abolitionists dropped the sage of Ashland and supported Birney.

Jones was elected President over General Burleson by about 1500 votes.

CHAPTER NINE.

Anson Jones President—His Policy Outlined in His Inaugural Address—Discussion of Annexation Between Mr. Donelson and Secretary Allen—The Seat of Government Trouble Again—Houston on Annexation—My Letter to President Jones—Mexico Conditionally Acknowledges Independence of Texas—Various Annexation Meetings—Convention of 1845—The Republic in Danger—President Jones Vindicates Himself—Annexation Consummated—The Closing Scene and the President's Farewell Address.

Dr. Anson Jones assumed the duties of the presidency at Washington, December 4, 1844, under the most favorable auspices. The finances were all right, as the exchequers were at par with gold and silver, and the assurances of peace and tranquillity were becoming stronger every day. Texas was free from the steps of the invader.

After some compliments in his inaugural to his predecessor, and a rose-colored view of the situation, President Jones outlined his forthcoming policy as sententiously as Thomas Jefferson, thus: A rigid and impartial execution of the laws; a strict accountability in all the offices of the government; the maintenance of the public credit; a reduction of the expenses of administration; the entire abolishment of paper money issues by the government; the introduction of an exclusively hard money currency; a tariff sufficient to provide for the current expenses of the government, and leaving a small surplus in the treasury, with incidental protection and encouragement to our agricultural and manufacturing interests; the establishment of a system of common schools; the attainment of a speedy peace with Mexico; a desirable immigration to the country, and the introduction of capital to develop its vast resources; friendly and just relations with our red brethren; the introduction of the penitentiary system; settlement of land titles; encouragement of internal improvements, and extension of commercial relations with foreign countries.

President Jones, as it seemed, had studiously avoided in his address any allusion to the subject of annexation.

On the next day, however, the indefatigable charge d'affaires

of the United States, Mr. A. J. Donelson, who had been on the ground some time, opened with Ebenezer Allen, Attorney-General and Acting Secretary of State, a correspondence on that important question.

Mr. Donelson first alluded to the papers placed before the Texan government on the 6th instant, and which related to the treaty of annexation and the correspondence thereon between the United States Minister in Mexico and the Mexican government, and acknowledged the receipt of the note of President Jones "expressing the satisfaction felt by this government at the course pursued by the President of the United States."

Then Mr. Allen is informed that the "executive government of the United States reasonably concludes and confidently expects that Texas herself will maintain her connection with the cause of annexation—so far at least as not to consider it lost or abandoned on account of the late action of the Senate of the United States upon it," and that "it may be safely assumed that annexation is destined to a speedy consummation so far as the action of the United States can accomplish it." And further, "without the co-operation and sanction of the government and people of Texas, the measure can not be consummated. . . . The rejection of the treaty by the Senate of the United States was calculated to create the belief here that the measure had been lost, and it was natural that this government, acting for the best interests of the Republic, should be looking to the alternative measures called for, by the abandonment of all hope of its incorporation into the American Union. To correct this erroneous inference, the undersigned has been authorized to allude to the failure of the treaty as affording no evidence of the abandonment of the measure by the government of the United States, and to the public sentiment as developed by the canvass for the presidency, as justifying the confident belief already expressed, that if the measure is to be defeated, it will be for the want of the necessary support from Texas herself."

Mr. Allen, answering, said among other things: "The undersigned is directed by the President to assure Mr. Donelson, in reply, that the existing relations between the United States and Texas, so far as the subject of annexation is concerned, will not

be affected by any opposing or unfavorable action on the part of the executive of the latter."

This was sufficiently explicit for President Jones, but Mr. Allen, under his direction, went on to say in substance that the annexation sentiment of Texas, weakened by the rejection of the late treaty by the United States Senate, may have changed into a general or insurmountable opposition to the measure.

This was well enough said at the time, as the friends of annexation had undoubtedly weakened in their support of the measure.

The seat of government trouble inherited from Houston, continued to annoy Jones. A bill to remove the archives back to Austin passed both houses after considerable discussion and wrangling. It was checkmated by an executive veto; not for Houston's reason, however, that Washington was the constitutional seat of government, but on the ground of an existing emergency. But these reasons not being satisfactory to the public, executive vetoes did not quiet the matter. On the recommendation of the President, Congress made a law providing for the settlement of this vexed question by a popular vote in the year 1847, and the sum of \$5000 was appropriated to effect the return of the archives to Austin in the meantime, where they would remain till the seat of government was determined at the ballot box.

This law dropped out of view, and was not enforced on account of the all-absorbing question of annexation.

On the last day of March, 1845, Mr. Donelson laid before the Texan government the annexation resolutions passed by the United States Congress just before the end of President Tyler's term of office, with these remarks: "If Texas now accepts these proposals, from that moment she becomes virtually a State of the Union, because the faith of the United States will be pledged for her admission, and the act of Congress necessary to redeem the pledge is obliged to follow as soon as she presents a republican form of government. All then that is necessary upon this basis is for this government, after expressing its assent to the proposals submitted to it, to call a convention of the people to clothe their deputies with the power necessary to amend their Constitution and adapt the government created by it to the new

circumstances under which it will be placed by annexation to the Union. . . . This great question, then, is in the hands of Texas. . . .

"With these observations, the question is now submitted to the Hon. Mr. Allen, under the confident hope that this government will see the necessity of prompt and decisive action whereby the measure may obtain the constitutional sanction of Texas."

President Jones was, under the advice of Mr. Donelson, about to test the annexation feeling of Texas under sections 1 and 2 of the resolution as it passed the United States Congress. Under them, the "terms were dictated and the conditions absolute;" and Texas could say only "Yes" or "No." The third section, an amendment to the original resolutions, empowered the President of the United States to arrange terms with Texas.

General Houston, preferring action under the third section of the resolutions, wrote under date of April 9, 1845, to Mr. Donelson:

"Now, my dear friend, for the sake of human liberty,—for the sake of the future tranquillity of the United States, and for the prosperity of Texas, whose interests, prosperity, and happiness are near to my heart and cherished by me above every political consideration,—I conjure you to use your influence in having presented to this government the alternative suggested by the amendment to Mr. Brown's bill, so that commissioners can act in conjunction upon the points which it may be proper to arrange between the two countries before is it too late, and while there is a remedy, . . . that Texas may exercise some choice as to the conditions of her entry into the Union. . . .

"I would suggest that Texas, if admitted into the Union, should enjoy full equality and community with the other States of the confederacy; that the United States should receive and pay Texas a liberal price for the public property which has been acquired for national purposes. . . .

"That Texas should retain her public lands, and if the United States shall hereafter vary her boundary or limits as at present defined by contracting or reducing them, that in that case they should indemnify the citizens of Texas by payment for any lands which they may hold by locations under the laws of Texas

in the territory abandoned by the United States, at the minimum price of the government lands at this time in the United States.

"That the government of the United States may at any time purchase the vacant lands of Texas at a price to be stipulated by the commissioners; and in the event of their purchasing our lands, that they should not (without the consent of the State of Texas) sell to or permit to settle within the present limits of Texas any nation, people, or tribe of Indians.

"That Texas should pay the national debt.

"That the United States should remunerate the citizens of Texas whose lands fell within the United States in running the boundary lines, in the same manner and with the same liberality that Texas did those of the United States, or that they (the United States) pay them for their lands which had been located on valid titles, issued by the government of Mexico, and at a time when it was believed the limits of Texas would embrace the locations previous to running the line.

"And I would recommend that an article be inserted in the agreement, stipulating expressly that Texas should not form a part of the Union until her Constitution is accepted by the Congress of the United States. . . .

"I have not even glanced at the general policy of the measure of annexation, but have given my views as to the mode of its execution and what appears to me necessary to be done by the parties. I must confess that I am not free from embarrassment on the subject. I have felt so deeply for my venerated and highly valued friend, the Sage of the Hermitage, that nothing but a most sacred regard for my adopted country could have induced me again to thus express my opinions on this subject. The feelings of General Jackson are so much absorbed in the subject of annexation, arising from his views of the importance of the measure to the United States, that he has very naturally not been fully able to regard Texas as forming a separate community, and with interests not entirely identical with those of that government. Nevertheless, I know and feel that General Jackson believes that Texas, annexed on any terms, would be equally benefited with the United States, and thereby perpetuate free institutions and extend the sphere of representative government.

Annexation would be certainly beneficial to the United States. On the part of Texas, it is an experiment, which, I pray God, if it takes place, may result in enduring happiness and prosperity to a united community."

It is needless to say, perhaps, that these statesmanlike views as to the proper policy of Texas on the matter of annexation were not heeded by the Jones administration, and that annexation was finally consummated as advised by Mr. Donelson under the instructions of the President of the United States. Indeed, it is not certain that, in view of all the embarrassing circumstances, Houston's prudent policy was practicable at the time.

President Jones was being suspected of want of fidelity to the cause of annexation. I thought proper to address him as follows:

"HOUSTON, April 9, 1845.

"To His Excellency Anson Jones:

"My Dear Sir: Claiming to be a friend of yours, not of yesterday, but since the year 1836, I take the liberty of stating to you that from my observation, which has been very considerable of late, I find that a very, very large majority of your friends and the people of our county are in favor of annexation as proposed by the United States; that many of your former friends and opponents are now abusing you for delaying the important question and asserting openly that you are opposed and doing all in your power to defeat it. These assertions I have denied, it is true without authority, but from my own conviction that you were in favor of the measure. I trust, my dear sir, that you will see it as I do, and a large majority of your fellow citizens and friends, and that you will lend your influence and aid in bringing about a measure that will redound to the prosperity of your country and entitle you to the merit and praise of having consummated one of the greatest political achievements on record, and instead of receiving the thanks of 150,000 people, that of 18,000,000.

"You may think me crazy in thus boldly approaching you on so important a measure; but, my dear sir, I claim to be your

friend and well wisher, consequently trust you will give my letter such consideration as a friend deserves. I am, yours respectfully,
F. R. LUBBOCK."

Indorsed by Jones thus: "This letter is from a true and worthy friend who believes correctly. But it shows a strange phenomenon in politics. I have now been laboring incessantly more than four years to open the doors of annexation, and have at last succeeded while others slept. Now noisy demagogues make the public believe *they* are the friends of the measure. God save the mark! and I (its chief author) its opposer and enemy. —A. J." (Jones' Memoirs and Official Correspondence, pp. 445-6.)

As further evidence of the excitement about annexation, these extracts are given from a letter of April 9, 1845, to President Jones by Dr. Ashbel Smith, just leaving Galveston as Minister to England and France:

"I find everywhere very great, *very intense*, feeling on this subject. I quieted it as much as possible by stating that you would at no very distant period present this matter for the consideration and action of the people. I am forced to believe that an immense majority of the citizens are in favor of annexation,—that is, of annexation as presented in the resolution of the American Congress,—and that they will continue to be so in preference to independence, though recognized in the most liberal manner by Mexico." He goes on to say that should the people lose confidence in his favorable disposition towards annexation, they would assemble "a convention by calling on the people in public meeting for the purpose of overriding the government—in other words, an attempt will be made to plunge the country into a revolution. The plan has been matured in Harris, Brazoria, and Galveston counties."

Dr. Smith was seen in company with Messrs. Elliott and De Saligny, British and French Ministers respectively, and this aroused suspicion that Texas was about to be turned over to some European power.

Continuing, the letter says: "When it is known that I am going to Europe . . . I feel convinced that public opinion

will be inflamed beyond control. I have understated rather than overstated the feeling on this subject. . . . *I am sure its tendency will be to prevent the dispassionate consideration by the people of the grave matters about to be submitted to them:* and I am really apprehensive that an attempt may be made to subvert our institutions."

On March 29, 1845, Dr. Ashbel Smith, Secretary of State, negotiated with Charles Elliott, chargé for Great Britain, and — De Saligny, chargé for France, a protocol for this treaty with Mexico acknowledging the independence of Texas. Its four essential points were:

First—Mexico agrees to acknowledge the independence of Texas.

Second—Texas agrees that she will stipulate in the treaty not to annex herself or become subject to any country whatever.

Third—Limits and other conditions to be matter of arrangement in the final treaty.

Fourth—Texas will be willing to remit disputed points respecting territory and other matters to the arbitration of umpires.

The treaty with its entire conditions was promptly ratified by the Mexican Congress.

Texas was to act later. The choice then before the people was, "independence and peace with Mexico, or annexation to the United States, with chances of continued war with Mexico."

England and France stood in the character of interveners, and proposed to guaranty the observance of the treaty, if duly ratified by both parties. We chose, and I think wisely, as Americans to go back to our father's house with an empire redeemed from barbarism rather than be controlled by European governments under the appearance of an independent existence.

In public estimation Washington on the Brazos did not respond with sufficient promptness to the overtures of Washington on the Potomac: that is to say, annexation did not move up fast enough in Texas. And while President Jones and Mr. Donelson were wrestling with this great measure in a diplomatic way, annexation meetings were held throughout the Republic to express the popular will on the subject.

The annexation meeting at Houston was held in the Presby-

terian church, April 21, 1845, the ninth anniversary of the battle of San Jacinto. Hon. M. P. Norton was chairman, and George Bringhurst and A. M. Gentry were the secretaries.

The question of annexation was left open to discussion by both the friends and opponents of the measure.

The committee on resolutions was composed of the following gentlemen: J. W. Henderson, Francis Moore, Jr., W. McCraven, J. Bailey, A. Wynns, I. W. Brashear, T. B. J. Hadley, T. M. Bagby, Wm. M. Rice, C. McAnally, M. T. Rodgers, M. K. Snell, H. Baldwin, S. S. Tompkins, John H. Brown, and myself.

Among other things, we resolved: "That we willingly assent to the joint resolution for the annexation of Texas to the United States adopted by the American Congress and selected by the President of the United States as the basis upon which this great measure is to be consummated; and in signifying our willingness to enter the American Union, we would also testify our full confidence in the honor and justice of the American people. We believe they will ultimately extend to us every privilege that freemen can grant without dishonor and freemen accept without disgrace."

The meeting then adjourned to meet at the courthouse at 7 p. m.

The night meeting was addressed by quite a number of speakers, Colonel Megginson, Col. A. S. Thruston, and Judge Thompson opposing the resolutions, and Timothy Pilsbury, W. B. Ochiltree, and F. R. Lubbock advocating them.

The *Morning Star* had this to say: "Mr. Henderson confined his arguments mainly to the cost of the State government as compared to the present government. His remarks were very appropriate, and he closed amid the warm plaudits of his hearers. The speech of S. S. Tompkins was remarkably eloquent and was received with great applause. The speech of Mr. Lubbock was also highly commended by the audience. The opponents of the measure, although eloquent and able, appeared to great disadvantage. The cause they advocated, although elevated by their talents, seemed to degrade them below their true rank as orators."

There was a rousing annexation meeting held at Shelbyville,

and Messrs. O. M. Roberts, Isaac Van Zandt, David S. Kaufman, and J. Pinckney Henderson all made elaborate and strong speeches in advocacy of annexation. The committee on resolutions had on it such men as David S. Kaufman, M. T. Johnson, and Emory Raines. The court in session at Shelbyville had called together this array of distinguished men, who hastened to put themselves on record for annexation.

Among the resolutions presented by Mr. Kaufman and unanimously adopted were these:

"That we have the utmost confidence in the President of Texas, Anson Jones, as evinced by our independent suffrages; and we will not believe for a moment that he would attempt to blast or defer the hopes of a confiding people or the realization of their long wished for anticipations; and that one national government is enough to protect all Americans, whether native or naturalized."

Copies of the resolutions were ordered sent to Andrew Jackson, the benefactor of the human race, to ex-President John Tyler, to Gen. Sam Houston, to Presidents Polk and Jones, and to all friendly newspapers for publication.

Hon. Ebenezer Allen, Acting Secretary of State, suspected of opposing annexation and called on for his real views at the Brenham meeting, in April, declared himself unequivocally in favor of the measure.

Collin McKinney presided over the Bowie County annexation meeting, and Dr. John S. Peters acted as the secretary. General Rusk explained the object of the meeting, and when the annexation resolutions were presented, supported them by a powerful and convincing speech. They were adopted *nem. con.* Among the prominent men on the committee on resolutions were Gen. E. H. Tarrant, Wm. C. Young, Esq., Judge James N. Smith, William S. Todd, Esq., C. R. Johns, and S. H. Morgan.

Sabine County appeared solid for annexation. In their meeting on March 31st, Rev. Littleton Fowler acted as chairman, and according to the *Morning Star* "addressed the meeting most eloquently in favor of the resolutions," as also did W. C. Duffield, Hon. David S. Kaufman, Col. B. Burke, and Judge Golightly. There was no opposition.

On April 14, 1845, came off the Brazoria annexation meeting,

in which James W. Copes, John Adriance, James Burke, and Guy M. Bryan acted as secretaries, and Timothy Pilsbury as chairman. On invitation Hon. Tod Robinson addressed the meeting, eloquently advocating annexation. On motion of James F. Perry the following were appointed a committee on resolutions: Henry Smith, W. T. Austin, John G. McNeil, John B. Norris, W. B. Aldridge, R. M. Forbes, M. L. Smith, C. R. Patton, J. C. Wilson, L. H. McNeil, W. J. Kyle, P. W. Gautier, R. Mills, Thos. Blackwell, R. J. Calder, W. J. Russell, J. H. Polly, Abner Jackson, Peter McGreal, E. Purcell, J. W. Brooks, R. J. Townes, W. M. Brown, King Holstein, W. D. C. Hall, Joel Spencer, Joel Bryan, and W. W. Williams. Besides this, there was a committee of correspondence, headed by E. M. Pease and R. J. Townes, and another committee of a dozen or more to prepare an "Address to the People." The resolutions may be characterized as redhot for annexation, with or without the consent of the Jones administration.

Guy M. Bryan carried a copy of the proceedings to Col. James Love at Galveston, and the meeting there a few days later strongly indorsed annexation.

In the annexation meeting at Columbus Williamson Daniels, Esq., was called to the chair, and George W. Gardner was appointed secretary. They adopted vigorous annexation resolutions, which were presented by E. W. Perry, George W. Brown, William Mennifee, Asa Townsend, W. B. Lewis, and others.

The meeting at old Nacogdoches was a strong one. On motion of James H. Durst, Judge William Hart was called to the chair and Adolphus Sterne appointed secretary. The committee on resolutions were T. J. Jennings, C. S. Taylor, Haden Edwards, James Gaines, Bennet Blake, David Muckleroy, J. H. Durst, and others. Able speeches in behalf of the annexation resolutions were made by Colonel Jennings, Judge Taylor, Judge Wingfield, Major Gaines, and Col. Haden Edwards. There were but three votes against annexation.

The Harrison County meeting was held at Marshall. On motion of Hon. William T. Scott, Charles H. Cooper was called to the chair and Ed. Clark and M. J. Hall appointed secretaries. Hon. Isaac Van Zandt presented the resolutions, the first of which read thus: "Be it resolved, That the reannexation of

Texas to the United States upon the basis proposed in the joint resolutions of the United States Congress meets our hearty approbation." Speeches were made by William C. Hill, Isaac Van Zandt, Colonel Bland, and S. R. Campbell favoring annexation, and by Col. A. B. Means and George Lane in opposition thereto. Annexation carried overwhelmingly.

The Fort Bend meeting had more than usual significance, from the participation in it of so many of the "Old Pilgrims" of Austin's colony. James B. Miller was the chairman and M. M. Battle the secretary. R. C. Campbell explained the object of the meeting, and he, with F. M. Gibson and Dr. J. H. Barnard, presented the resolutions. They resolved "That, like the prodigal who had sojourned long in foreign lands, we will return with pleasure to 'our father's house,' " and then went on to advocate the acceptance of the annexation resolution of the United States Congress.

The Bastrop meeting declared unanimously for annexation. The principal participants were Col. J. W. Dancy, Senator Caldwell, Gen. Ed. Burleson (chairman), John W. Bunton, and others.

The Montgomery meeting was addressed in able speeches for annexation by C. B. Stewart, N. H. Davis, and John M. Lewis.

The leading men favoring annexation in the Jefferson County meeting were F. W. Ogden, J. W. Baldrige, Alex. Colden, Wm. F. Herring, and Isaiah Junker.

And so the prominent men nearly everywhere declared for annexation.

One anti-annexation meeting was held at Houston. The State Senator of the district, William Lawrence, a strong anti, was to deliver the address. He had, however, steamed up too high for the occasion, and though an admirable speaker, upon taking the platform he gazed vacantly at the crowd, and in a moment more measured his full length upon the floor. Dr. Francis Moore, the chairman, who was an ardent annexationist and a very ready man, pointed with his *one arm* to the prostrate man, and said most emphatically, in a loud tone: "Gentlemen, Colonel Lawrence has the floor." This settled the question, and the gathering, with much merriment, left the hall.

Soon all opposition to the American sentiment died out. Poli-

ticians could no longer delay the mighty popular movement to get back into our father's house.

In May, 1845, closely following the terms of the annexation resolution as expounded by Mr. Donelson, President Jones, to get the consent of the existing government, called an extraordinary session of Congress to meet at the capital on the 16th of June.

In his message to the Congress assembled, the President said: "The executive has now the pleasure to transmit to the honorable Congress for such action as they may deem suitable the propositions which have been made on the part of the United States government for the annexation of Texas and its incorporation as a State into that great and kindred confederacy, together with the correspondence between the two governments which has arisen out of the same. . . . The executive has much satisfaction in observing what no doubt will forcibly arrest the attention of the Congress, that although the terms embraced in the resolutions of the United States Congress may at first have appeared less favorable than was desirable for Texas, that the very liberal and magnanimous views entertained by the President of the United States towards Texas, and the promises made through the representative of that country in regard to the future advantages to be extended to her, if she consents to the proposed union, render those terms much more acceptable than they would otherwise have been."

The state of public opinion and the great anxiety of the people to act definitely upon the subject of annexation by a convention of delegates induced the executive to issue his proclamation on the 5th of May, ultimo, recommending an election throughout the Republic, and for the convention¹² to meet at the city of Austin on the 4th of July next.

"The executive has the pleasure, in addition to presenting to Congress the propositions concerning annexation, to inform them that certain conditions preliminary to a treaty of peace, upon the basis of a recognition of the independence of Texas by

¹² Captain Elliott, the British chargé, well knew the temper of the Texans as to annexation; and after being informed of the calling of the Convention, he is reported to have said, "The hunt is up. I will now retire and await orders from her majesty's government."

Mexico, were signed on the part of the latter at the City of Mexico on the 19th of May last, and were transmitted to this government on the 2d instant by the Baron Alley de Cyprey, minister plenipotentiary of his majesty the king of the French, at that court, by the hands of Captain Elliott, H. B. M.'s chargé d'affaires near this government. . . . These preliminaries being in the nature of a treaty, will, with all the correspondence in relation thereto, be forthwith communicated to the honorable Senate for its constitutional advice and such action as in its wisdom the same shall seem to require.

"The alternative of annexation or independence will thus be placed before the people of Texas, and their free, sovereign, and unbiased voice will determine the all-important issue, and so far as it shall depend upon the executive to act, he will give immediate and full effect to the expression of their will."

The President could not well close without saying some things creditable to his administration, thus: "Texas is at peace with the world. . . . The receipts into the treasury have been sufficient to meet the various expenditures of the government. A specie currency has been maintained without difficulty, and nearly all the exchequer bills which were in circulation at the period of your late adjournment have been redeemed and withdrawn from circulation, and the executive is happy to congratulate the country upon a state of peace, happiness, and prosperity never before experienced in Texas, and rarely if ever equaled by so young a nation."

Congress promptly gave the consent of the existing government to annexation, and adjourned on the 28th of June.

The only sectional strife in Texas was between the east and the west. The east had the wealth and the population, and consequently, the bulk of the taxes to pay; while the west was comparatively thinly settled and periodically plundered by the Mexicans and Indians. On the other hand, the basis of representation was unequal, giving the west an undue share of political power.

President Jones, writing to Hamilton Stuart, November 25, 1847, said: "The question of a basis of representation carried with it the question of the seat of government, a question which at one time came very near dissolving the government itself.

The east, north, and middle were willing to let Austin remain the seat of government if the apportionment of representation could be made equal. . . . I determined upon calling the convention myself. I fixed an equitable basis of representation. . . . A few days after the adjournment of Congress the convention met at Austin, confirmed that place as the seat of government of the State; and the Constitution which they framed perpetuated the basis of representation which I established."

The convention met at Austin as called, on the 4th of July, the natal day of American independence. Its object was to determine the preference of Texas, whether for independence and peace with Mexico or for annexation to the United States. But the people had already spoken, and the convention only had to register their will.

On motion of Hiram G. Runnels, Thomas J. Rusk was nominated for president of the convention and unanimously elected. W. F. Weeks acted as the reporter of the proceedings.

This body made a notable gathering of the worthies of Texas. Sam Houston was conspicuous by his absence. He was a delegate-elect from Montgomery, but absent on a visit to General Jackson. C. B. Stewart was allowed to take his seat.

Of the delegates there then famous, or who became so afterwards, I call to mind Hiram G. Runnels and Robert M. Forbes, of Brazoria; John Caldwell, of Bastrop; Jose Antonio Navarro, the Mexican statesman from Bexar; Lemuel Dale Evans, of Fannin; J. B. Miller, of Fort Bend; R. E. B. Baylor and James S. Mayfield, of Fayette; Richard Bache and James Love, of Galveston; W. L. Hunter, of Goliad; Francis Moore, Jr., J. W. Brashers, and A. McGowan, of Harris; Isaac Van Zandt and Ed. Clark, of Harrison; F. M. White, of Jackson; George T. Wood, of Liberty; A. C. Horton, of Matagorda; Thomas J. Rusk and Joseph L. Hogg, of Nacogdoches; W. C. Young, of Red River; J. Pinckney Henderson and N. H. Darnell, of San Augustine; Emory Raines, of Shelby; William Cazneau, of Travis, and Abner S. Lipscomb and John Hemphill, of Washington.

The president-elect being conducted to the chair, addressed the convention, saying among other things: "The object for which we have assembled deeply interests the people of Texas. We have the hopes of our present population, as well as the

millions who may come after us, in our hands; the eyes of the civilized world are upon us; we present this day a bright spectacle to all lovers of freedom and republican government. The history of the world may be searched in vain for a parallel to the present instance of two governments amalgamating themselves into one from a pure devotion to that great principle that man, by enlightening his intellect and cultivating those moral sentiments with which his God has impressed him, is capable of self-government.

"The terms of annexation are alike honorable to the United States and to Texas, and as a Texian, acting for myself and my posterity, I would not, were it practicable, without in the slightest degree endangering the great question involved, seek to alter the terms proposed to us by the government of the United States. Texas, animated by the same spirit and following the bright example of the fathers of the American revolution, has acquired at the cost of blood her freedom and independence from those who would have enslaved her people. She now, with a unanimity unparalleled, enters that great confederacy to whose keeping the bright jewel of human liberty is confided, content to bear the burdens and share the benefits which republican government carries in her train. Our duties, although important, are plain and easy of performance. The formation of a State Constitution upon republican principles is the only act to be performed to incorporate us into the American Union. While we insert those great principles which have been sanctioned by time and experience, we should be careful to avoid the introduction of new and untried theories. We should leave those who follow us free to adopt such amendments to the system as their experience and intelligence shall suggest and their circumstances render necessary."

Mr. James H. Raymond was elected secretary of the convention over Joseph Waples.

The president informed the convention that he had a communication from the President of the Republic of Texas. It comprised the various official documents on annexation, the reading of which was dispensed with except the joint resolution of annexation.

The president appointed a committee of fifteen to report on an

ordinance expressing the assent of the convention to the annexation resolution. The names of the committee were as follows: Lipscomb, Moore, Caldwell, Evarts, Love, Van Zandt, Henderson, Cazneau, Evans, Runnels, Hemphill, Lewis, Baylor, Davis, and Smyth.

The committee reported the same day. (See report in Appendix.) After the preamble and joint resolution of the United States Congress came the assent in these words: "Now, in order to manifest the assent of the people of this Republic as required in the above recited portions of said resolution, we, the deputies of the people of Texas, in convention assembled, in their name and by their authority, do ordain and declare, that we assent to and accept the proposal, corditions, and guarantees contained in the first and second sections of the resolution of the Congress of the United States aforesaid."

There were 55 votes cast for the ordinance and 1 against it, cast by Richard Bache, grandson of Benjamin Franklin. E. H. Tarrant, Volney E. Howard, W. B. Ochiltree, Oliver Jones, B. C. Bagby, and Charles B. Stewart did not vote on the question. Therefore it may be said that the ratification vote of the convention lacked seven of being unanimous.

President Rusk at once sent a certified copy of the ordinance passed to the United States chargé, Mr. Donelson, who, in acknowledgment, said: "This ordinance shall be immediately forwarded by a special messenger to the President of the United States, who will receive it with the gratification its dignity and importance are so well calculated to produce in every patriotic heart. Texas has manifested to the world with a unanimity unparalleled, in the disposition of a debated political question, her preference of an association with the republican States composing the Federal Union, over all the advantages, real or imaginary, that were held out to her as a separate nation.

"With a discrimination quickened by her contact with foreign influences, she has learned in her battlefields and in her civil experience the necessity of union among the votaries of freedom; and in voluntarily agreeing to take her place hereafter as a sovereign member of the American confederacy, she has paid a tribute to the cause of popular government which will command the admiration of the world.

"From the date of this ordinance Texas will have acquired a right to the protection of the United States, and the undersigned is happy to inform you that the President of the United States has taken steps to afford this protection in the most effective manner against future Mexican and Indian invasion."

Next was a resolution favoring the introduction of United States troops into Texas in accordance with a previous understanding between Mr. Donelson and Secretary of State Allen.

The dissatisfaction with the existing government, so prevalent at the time, showed itself in the convention. And there was under serious consideration a proposition to abolish the Jones government and to set up a provisional one in its stead; and it was thought at one time that the dissatisfied, including such men as Rusk, Hogg, and Horton, were in the majority.

But prudent counsels prevailed and the storm blew over.¹³

In concluding this subject, I think it no more than right to let President Jones speak for himself, thus: "I won independence and annexation for my country. If I am wrong in any particular, let the records of my negotiation show it. They all may be published without any fear that Texas will be injured by it. . . . I have never sought to be popular by making a stalking horse of annexation and riding on it into popular favor. I was contented to be denounced by my enemies and even suspected by my friends as opposed to it, when the interests of the country and the position Texas occupied towards the United

¹³ In the letter already referred to, President Jones said further to Hamilton Stuart:

"Not long after the opening of the Convention I received information from the most reliable and authentic sources that emissaries and factionists were at work, and that a majority of from two to five in the Convention were in favor of abolishing the existing government and establishing a provisional one in its place. * * * I hastened with some of my cabinet to Austin. The friends of good order and annexation prevailed; for, two weeks after, the proposition to abolish the government coming before the Convention in a report from the Committee on the State of the Nation, it was triumphantly defeated, only about seven members voting for it out of sixty-one who composed that body. Faction was thus rebuked, disorganizers and emissaries silenced, and annexation again saved to the country. From this time, I had no further material control over the question of annexation, and my duties in connection with it became merely ministerial."

States, England, France, and Mexico required a discreet silence on my part; but if ever annexation should go out of favor in Texas (which I hope may never be the case), my enemies I fear will then be able to prove that, but for me, it never would have taken place, and that I was always its devoted friend. All I claim for myself is having accomplished, in spite of every difficulty and every obstacle, the great object I sought, and uninfluenced by clamor, abuse, or threats, of having pursued one uniform and consistent course on the subject of annexation from 1836 to 1846, that is, from the birth to the death of the Republic."

Nevertheless, President Jones was ruined politically by the suspicion that he had opposed annexation; and he did not live long enough to recover his former high position in the public confidence.

Anson Jones, born in Massachusetts in 1798, came to Texas in 1833 as a practicing physician, and soon went into active politics. He was one of the earliest advocates for Texan independence, and when the war begun became surgeon in Burleson's regiment and participated in the battle of San Jacinto. Subsequently Jones was a Congressman from Brazoria, and later Minister to the United States, Secretary of State under Houston, and finally President. He was a man of fine abilities, and for many years was on intimate terms with Sam Houston.

In response to a unanimous vote of thanks by the convention for his promptness, fidelity, and impartiality, President Rusk gracefully acknowledged the compliment and proceeded to say further: "The important duties we were called upon to perform on the part of the people of Texas are discharged, and I trust in a manner which will be satisfactory to all the people of Texas, satisfactory to the Congress and people of the United States, and satisfactory to the friends of republican government throughout all the civilized world. . . . The proceedings of this convention, I think I may safely say without vanity or undue prejudice in favor of Texas, our adopted land, may well compare with those of any similar body which has met within the last hundred years. They have been marked by a degree of decorum and a spirit of good feeling which I trust in God will continue to characterize the people of Texas as long as our coun-

try shall endure. . . . I trust, too, that when this Constitution shall go into operation the angry passions attendant upon political dissensions will be hushed, that all sectional feeling and jealousies and the strife of personal ambition will cease, and that for many long years to come it will continue the organic law of a people united as a band of brothers, animated by the best feelings of the human heart, and prompted in action by that pure and lively patriotism which has characterized Texas thus far."

Time has shown to be true these congratulatory remarks of President Rusk to the convention. This Constitution of 1845, the best that Texas ever had, perhaps, perished only by external violence.

Judge Hemphill, arguing from the analogy of North Carolina and Rhode Island, held that a new Constitution was not necessary to entitle Texas to admission in the Union. Those two powers having played the role of independent sovereignties a year or more, came into the Union by "acceding to the compact," North Carolina without any change in her organic law, and Rhode Island with her old royal charter for a Constitution. In case of any conflict the United States Constitution was of course paramount. In that distinguished jurist's opinion, Texas might have entered the Union by simply ratifying the annexation resolution of the United States Congress.

At the election held in October the Constitution submitted to the people was adopted by a vote practically unanimous.

An election was ordered for State officers and members of the Legislature, to be holden on the third Monday in December.

J. Pinckney Henderson was elected Governor over Dr. J. P. Miller by a vote of 7853 to 1673. Albert C. Horton beat Nicholas H. Darnell for Lieutenant-Governor by only 120 votes.

Mr. Darnell had already the honor of being the bearer of the new Constitution of Texas from the annexation convention to President Polk.

On December 29, 1845, President Polk signed the joint resolution for the admission into the Union. Ex-President Adams worked hard to the very last moment to beat annexation in the House of Representatives, and Daniel Webster opposed it in the Senate.

The new Legislature met at Austin on February 16, 1846,

The old capitol, which had been used only for a church and schoolhouse since February, 1842 (except for the short session of the annexation convention), was now occupied again as a legislative hall. According to Col. John S. Ford, in his paper, the *Austin Democrat*, the capitol was decorated with flags for this occasion. President Jones and Governor-elect Henderson made their appearance, attended by a joint committee of both houses, and escorted by the United States officers of this station. After they were introduced and seated, Judge R. E. B. Baylor led off in an earnest prayer.

President Jones then rose and delivered his valedictory, concluding in these words:

"The Lone Star of Texas, which ten years ago arose amid clouds over fields of carnage, obscurely seen for awhile, has culminated, and following an inscrutable destiny, has passed on and become fixed forever in that glorious constellation which all freemen and lovers of freedom in the world must reverence and adore—the American Union. Blending its rays with its sister States, long may it continue to shine, and may generous heaven smile upon the consummation of the wishes of the two republics now joined in one. May the union be perpetual, and may it be the means of conferring benefits and blessings upon the people of all the States, is my ardent prayer. The final act in the great drama is now performed. The Republic of Texas is no more!"

During this address intense emotion thrilled every bosom and tears trickled from the eyes of many weather-beaten Texans, who felt that they were being stricken from the roll of nations, and that indeed the Republic of Texas was "no more." Continuing, Colonel Ford says: "Texas is secure in the enjoyment of all that a patriot could wish—her destiny is united to that of the mightiest people on earth. Her watchword must be 'Union' and her progress will be 'Onward.'"

On this event the *Washington Union* of that date thus comments: "We again hail the incorporation of Texas into our Union as one of the most remarkable events of the age. It was accomplished by no violence of the sword; no effusion of blood; no corruption of the people, and by no constraint upon their intentions; but in the best spirit of the age, according to the present principles of free government, by the free consent of the

people of the two republics. Well may President Jones have said: 'It was left for the Anglo-American inhabitants of the western continent to furnish a new mode of enlarging the bounds of empire by the more natural tendency and operation of the principles of their free government.' "

CHAPTER TEN.

Texas in the Union—Henderson Governor—The Mexican War—Texans at Monterey—General Henderson and His Brigade—Ben McCulloch and Buena Vista—Hays and Walker with Scott—Peace and Territorial Expansion—Democratic Party Organization—The Glorious Fourth at Austin in 1846—Educational Interests in Houston—Henderson's Welcome Home—His Character.

Governor Henderson's inaugural was a short and pointed address congratulating the people upon the consummation of annexation, expressing a desire for a spirit of harmony and forbearance, rather regretting the power and patronage lodged by law with the executive, but promising to act cautiously and impartially in his official duties and only for the public good, pledging himself to place the judiciary on the best possible footing, and expecting to use the veto power sparingly. He closed with this vigorous paragraph: "We have this day fully entered the Union of the North American States. Let us give our friends, who so boldly and nobly advocated our cause, and the friends of American liberty, no reason to regret their efforts in our behalf. Henceforth the prosperity of our sister States will be our prosperity—their happiness, our happiness—their quarrels will be our quarrels, and in their wars we will freely participate."

A few days later Thomas J. Rusk and Sam Houston were chosen by the Legislature United States Senators, the former receiving on joint ballot 70 votes, and the latter 69. Col. James Love received 4 votes for Senator, Hiram G. Runnels 2 votes, and James B. Miller and Memucan Hunt received 1 vote each.

In the congressional election that spring David S. Kaufman was chosen for Representative in the eastern district.

Timothy Pilsbury was elected in the western district, though he had such able competitors as Wm. G. Cooke, Sam M. Williams, R. E. B. Baylor, and Thos. Jefferson Green.

Kaufman was a Pennsylvanian, having come to Texas in 1837. He had represented his district in the Congress of the Republic and had served as a diplomat for Texas at Washington City. Pilsbury was a retired sea captain from Maine, and had been a

Congressman in the days of the Republic. Both men were patriots of sterling worth, and their fidelity to Texas had been tried and never found wanting.

For his Secretary of State, Governor Henderson selected ex-President David G. Burnet, and Gen. Ed. Burleson was president pro tem. of the Senate. Jas. B. Shaw was Comptroller; Thomas William Ward, Land Commissioner; Wm. G. Cooke, Adjutant-General. It was gratifying to note the prominence of these old Texans in the new State government.

The Governor in his message called attention to the public debt and the necessity of paying it; to the proper disposition of the public domain; to the unorganized condition of our militia; and to the necessity of economy in administration, to which he was pledged as the chief executive officer of the State.

On the reorganization of the Supreme Court, Governor Henderson appointed John Hemphill Chief Justice, and Abner S. Lipscomb and Royall T. Wheeler Associate Justices. Hemphill was confirmed by the Senate unanimously. Six votes were cast against Wheeler's confirmation and five against Lipscomb's. This court, in the ability and purity of its members, has never had a superior in Texas. The little opposition to Lipscomb and Wheeler at first was caused, it was said, from their connection with certain old land claims.

We had scarcely got into the Union before there were rumblings of war on the Mexican border. The Spanish stock is slow to recognize the logic of events. Spain did not recognize the independence of Mexico till after the battle of San Jacinto. After nine years of conflict Mexico offered to recognize the independence of Texas if Texas would agree to remain a separate nation. But that would have barred annexation, and we rejected, as has been already shown, the Mexican proposal with scorn. Mexico now made the annexation of Texas to the United States a *casus belli* under the pretense that Texas was her rebellious province. Almonte, the Mexican minister at Washington City, protested in severe terms against the annexation of Texas, and withdrew from the United States. Mexico, having rejected President Polk's offer of peaceful negotiation, began active preparations for war.

Meanwhile Texas accepted the annexation resolution of the United States Congress, and when General Taylor, at New Orleans, was advised of this by Mr. Donelson, he immediately embarked with a few battalions for our exposed southwestern frontier.

Encouraged, if not incited, by the abolitionists of the free States, the Mexican government rejected our peace minister, Mr. Slidell, and ordered its armies into Texas.

In the spring of 1846, General Taylor, to meet this threatened invasion, advanced on Matamoros. General Arista protested, and informed General Taylor that he must at once retire with his army beyond the Nueces, or expect to be compelled to do so by force. Taylor sternly refused, but proposed to Arista, as a peace measure, an armistice pending possible negotiations between the two governments. Arista refused this reasonable proposition, and, crossing the Rio Grande into Texas with his army of more than 6000 veterans, began hostilities.

In May, Taylor, with about 3000 men, mostly volunteers, routed the Mexicans in the battles of Palo Alto and Resaca de la Palma, and drove them back across the Rio Grande badly demoralized and reduced to about half their original number.

Capt. Samuel Walker, with his handful of Texas Rangers, rendered excellent scouting service for General Taylor in this short but glorious campaign.

President Polk, by proclamation, recognized the existence of war and called for volunteers. American blood had been shed by foreigners upon American soil, and there was an enthusiastic response throughout the Union to the call for troops, but especially in the West and South.

On account of the known superiority of the United States to Mexico, making victory sure, I did not feel the necessity of enlisting in the war, nor did my warlike brother Tom, who had rushed to the defense of Texas eleven years before when hard pressed by Mexico. All of us, however, held ourselves in readiness to march to the front should the struggle be long or doubtful. The war was really welcomed by Texas, as it gave the opportunity for her adventurous sons to make the hated Mexicans feel the blighting effects of a contest carried to *their* altars and firesides.

There was an immediate rush of Texan volunteers to the Rio Grande frontier, and they shared in the glories of that campaign. Their distinguished leaders were the ranger captains Jack (John C.) Hays, Samuel H. Walker, and Ben McCulloch. Col. Albert Sidney Johnston was the first to lead a regiment (the Second) to the Rio Grande. They were six months men, and were from some misunderstanding mustered out of service before participating in a battle.

It was said at the time that major-generals' commissions were offered by President Polk to Senators Houston and Rusk, but declined by those gentlemen. Governor Henderson accepted a commission as major-general in the volunteer army, and, when authorized by act of the Legislature, went to the front and commanded the Texans under General Taylor at Monterey. His brigade consisted of the regiments of Cols. Geo. T. Wood and Jack Hays. They led the American advance on Monterey, with the companies of Cpts. McCulloch and R. A. Gillespie in front.

General Henderson, with his Texans, fought with such spirit in the successful assault on Monterey, September 22-24, 1846, as to gain the plaudits of the whole army. In fact, the siege seemed to drag until the Texans resorted to Ben Milam's tactics at Bexar (fighting from house to house), and forced a surrender.

General Henderson was highly complimented by General Taylor, and was voted a sword by Congress in commemoration of his gallantry. Our Governor was also appointed on the commission, with Col. Jeff Davis and General Worth, to arrange the terms for surrender of the city.

Among the noted Texans at Monterey were M. B. Lamar, Ed. Burleson, H. L. Kinney, and Ed. Clark (on General Henderson's staff) ; McCulloch, Tom Green, Walter P. Lane, P. H. Bell, Geo. T. Wood, Jack Hays, Sam Walker, and Wm. R. Scurry, the first three (beginning with McCulloch) soldier boys at San Jacinto, and the next two, future Governors of Texas, and all more or less distinguished.

Albert Sidney Johnston was there as inspector-general on General Butler's staff.

There was no Texas regiment at Buena Vista, but Captain McCulloch, with his rangers, made a daring reconnoissance of the Mexican position and brought to General Taylor reliable in-

formation of Santa Anna's rapid advance. Taylor had barely time to throw his little army of 5000 men into the defile of Angostura. This almost impregnable position alone saved the American army from destruction by Santa Anna's overwhelming force of 17,000 men.

Hays and Walker raised another regiment at San Antonio the following winter and fought with Scott's army to the City of Mexico, winning many laurels for their gallantry. About the close of the war Walker was killed at Huamantla. Walter P. Lane also distinguished himself fighting under Taylor.

The whole Texan force sent to Mexico was said to be about 8000 men; but, as our records in the Adjutant-General's office have been burned, the exact number is not known. General Mansfield, in his history of the war, puts the Texan soldiers in the Mexican war at about 6600 men.

In making peace in 1848, the question arose as to the policy of taking more territory, by way of indemnity for losses, and of thus enlarging our area. It was the old question of expansion, argued as to Louisiana, Florida, and Texas, and in those instances decided in favor of the principle. The decision in this instance, as in those which preceded it, was for the acquisition of additional domain, and it was given practical effect in the formal stipulations of the treaty of Guadalupe Hidalgo. So Upper California and New Mexico were taken in and put under the Stars and Stripes. Pending the annexation of Texas, Senator Levy of Florida introduced a resolution in the United States Senate advising the President to negotiate with Spain for the cession of Cuba.

The expansion idea is not yet dead in the United States, though men now think it should die.

The advantages of the Union to Texas began at once to appear in the simplicity, economy, and efficiency of the State government. Domestic concerns, such as the business of the Land Office and the administration of justice, received the proper attention, as we had no longer the exclusive duty of defending our frontiers against foreign invasion. It devolved upon the Federal government, also, to prevent Indian incursions upon our western settlements. In default of Federal protection, later on, the Texans protected themselves through the State rangers, and

were reimbursed by round sums of money drawn from the Federal treasury.

By the terms of annexation Texas ceded to the United States her public edifices, navy, ports, arms, and armaments. In this delicate matter I understand Lieut. W. A. Tennison, of our navy, was agent for Texas, and that Hiram G. Runnels represented the United States. Among other arms transferred were the "Twin Sisters," the two cannon used at San Jacinto. Our ships being transferred, it was thought at the time that our naval officers would go with the ships and with them be incorporated in the United States navy. Senator Houston opposed that view, and the measure was never consummated.

The First Legislature did some important work in the organization of the courts and of the militia, in the establishment of the penitentiary, and in the creation of more than thirty new counties. Provision was made for a system of direct taxation, and for taking the census. Religious meetings were put under protection of the law. The viva voce method of voting was adopted; but, proving unpopular, it was soon changed to the secret ballot system. Under the State government our executive's salary was then only \$2000 per annum, and our legislators' per diem was but \$3.

Wishing to act in harmony with the great Democratic party of the United States, the Democratic members of the First Legislature, together with leading Democrats from different portions of the State, called a meeting in the capitol on the night of April 27, 1846. Its object was to appoint a central Democratic committee, and thus to effect complete organization for the party throughout the State.

William L. Cazneau called the meeting to order, and John T. Mills, of Red River, was appointed chairman, and E. M. Pease secretary.

Dr. John G. Chalmers, of Travis, addressed the meeting on the necessity of party organization, as also did Messrs. Gillett, of Lamar; Gooch, of Red River, and Durham, of Bowie.

The committee on resolutions: Dr. John G. Chalmers, of Travis; T. J. Chambers, of Liberty; R. M. Williamson, of Washington; Hiram G. Runnels, of Brazoria; Wm. H. Bourland, of Lamar; Volney E. Howard, of Bexar; H. J. Jewett, of Robert-

son; J. A. Greer, of San Augustine; John Brown, of Nacogdoches; Lem D. Evans, of Red River, and C. F. McClarty, of Rusk, reported, in substance: Adherence to the principles of the Democratic party in the United States, and that meetings be held in the several counties to elect delegates to assemble in convention on the first Monday in November, at Washington, to adopt the necessary measures to carry out the principles of the Democratic party.

J. S. Mayfield and R. M. Williamson supported the resolutions by forcible arguments.

The central committee was composed as follows: Hiram G. Runnels, R. M. Williamson, Wm. H. Bourland, Daniel C. Dickson, Dr. John S. Ford, Dr. Moses Johnson, Jas. Webb, John W. Haines, Dr. John G. Chalmers, T. J. Chambers, and Thos. H. Duval. It was, by resolution, made their duty to prepare an address to the people of Texas.¹⁴

All newspapers were requested to publish the proceedings. This was the first Democratic convention ever held in Texas to effect party organization. The Mexican war coming on, with other engrossing matters, the subject slept until awakened to activity again by avowed opposition to Democratic principles.

The Fourth of July, 1846, had a fitting celebration in Austin—the first one under the Federal government. The celebration was both religious and political—all at the old wooden capitol. The Methodists appeared to lead in the religious ceremony, as

¹⁴ The corresponding secretaries were: Wm. E. Cross, of Austin; E. Millican, of Brazos; Dr. E. Mabry, of Bastrop; L. H. Magee, of Brazoria; A. J. Russell, of Bowie; Volney E. Howard, of Bexar; Geo. W. Brown, of Colorado; G. A. Everts, of Fannin; Wm. S. Rayner, of Fort Bend; Jno. H. Moore, of Fayette; Wm. S. Hunter, of Goliad; Jno. D. Anderson, of Gonzales; Hugh M. McLeod, of Galveston; Edward Clark, of Harrison; Isaac Parker, of Houston; Peter W. Gray, of Harris; Cavit Armstrong, of Jefferson; G. W. Smyth, of Jasper; F. M. White, of Jackson; Geo. T. Wood, of Liberty; Henderson Yoakum, of Montgomery; Geo. B. Erath, of Milam; Jas. Denson, of Matagorda; R. R. Gage, of Nacogdoches; Jas. Smith, of Rusk; S. H. Morgan, of Red River; Henry J. Jewitt, of Robertson; M. T. Johnson, of Shelby; T. G. Brooks, of San Augustine; J. M. Burroughs, of Sabine; — Talley, of San Patricio; W. L. Cazneau, of Travis; Jno. W. Rose, of Victoria, and James Miller, of Washington.

their presiding elder, —— Yell, addressed the meeting, and Dr. H. M. Thrall closed it with prayer. The politicians then took charge of it, and Jas. H. Raymond read the Declaration of Independence, and Judge A. S. Lipscomb made a patriotic speech which was loudly applauded by the crowd. Captain Highsmith, with his rangers, paraded through the city and fired occasional salutes. At 4 p. m. a signal gun announced that the barbecue, prepared under the direction of Brown and Chandler, was ready.

The dinner was spread in a beautiful liveoak grove, a few hundred yards west of the capitol. A large crowd participated, including Lieutenant-Governor Horton, Judge Lipscomb, and other distinguished officials. The sumptuous dinner dispatched, the inevitable toasts were offered by the toastmaster, Dr. S. G. Haynie, and mostly drank in Colorado water. With the regular toasts were these: "The day we celebrate;" "the Republic of Texas, now no more—promising in birth, prosperous in life, and triumphant in death" [three cheers]; "the State of Texas—last, though not least, in the glorious Union, she was the first in the field and will be the last to leave it" [three times three]; "Thomas Jefferson—the founder of true Democracy;" "The heroes of the American revolution;" "The heroes of the Texian revolution." Lieutenant-Governor Horton offered as a volunteer toast: "The memory of Gen. Stephen F. Austin, the founder of Texas—may his memory be co-extensive with the institutions of our country;" Owen O'Brien: "Our distinguished representation in the American Congress;" Jas. M. Long (major): "Texas as she was, Texas as she is, Texas forever;" Judge Lee: "The anniversary of American liberty—may it soon be celebrated in every town and hamlet on the American continent."

Good feeling and order prevailed throughout the day, and the festivities closed at night with a grand cotillion party at the capitol.

In October, 1846, there was a meeting in Houston of "The Texas Literary Institute," of which Rev. Chauncey Richardson was president, Isaac Henderson and Ashbel Smith vice-presidents, and John Sayles and Harvey H. Allen secretaries. After going through with the program of exercises, they appointed a committee of five to receive plans for a system of public instruction in Texas, to embrace the following subjects: The establish-

ment of one or more universities; the establishment of one or more colleges; the establishment of academies, male and female; the establishment of common or district schools; the preparation of instructors; the best methods to get a uniform system of instruction; the investment of the school fund. Revs. Orceneth Fisher and Chas. Gillett were prominent workers in the institute, and all showed a creditable interest in promoting a good educational system for Texas—such as was contemplated by the old pioneers.

The educational idea was never lost sight of in Texas, even amid our severest trials.

After the capture of Monterey, General Henderson, in feeble health, resigned his military commission and returned to his executive duties in Texas, which had meanwhile devolved upon Lieutenant-Governor Horton.

On his arrival in Austin General Henderson received a royal welcome. Thos. Wm. Ward was president of the reception committee, and S. G. Haynie, R. M. Potter, and J. M. Swisher were vice-presidents. A public dinner was served in honor of the distinguished guest. Men of all shades of political opinion participated. Everything went off harmoniously. Toasts were offered, as usual, with appropriate "airs." Among the regular toasts were: "The President of the United States"—air, "Hail Columbia;" "The Subjugation of Monterey—may those who achieved it reap the reward of their valor"—air, "Yankee Doodle;" "The Army and Navy of the United States—the army has drawn the sword with cause; it will not sheath it without honor; the navy, it bides its time;" "The Volunteers of the United States—true to the plow in time of peace, and ever ready to take the sword in time of war;" "The Volunteers of Texas—let those who died at Monterey be remembered with the martyrs of the Alamo; let those who survive be enrolled with the victors of Bexar and San Jacinto; the subjugation of the former gave us confidence, the triumph of the latter established our independence;" "Gen. J. Pinckney Henderson, our distinguished guest—the victorious chief, warm in the hearts of his countrymen, not only for his prowess in the field, but for his distinguished talents as a statesman."

General Henderson made an appropriate response, reviewing his course as commander of the Texans at Monterey, and asserting that he opposed the liberal terms allowed to Ampudia, and that he signed the articles of capitulation only as the agent of General Taylor. He closed with a glowing tribute to the good conduct and bravery of the Texan volunteers. The general's debility, regretted by all, prevented his saying more, and he took his seat amidst loud cheering.

The regular toasts having been exhausted, the following, among other volunteer toasts, were offered: S. G. Haynie: "The Memory of Brenham, Ogden, Cameron, and all the decimated of the Mier expedition—may Santa Anna, who gave the fatal and bloody order, and the officers and men who executed it, live to draw a 'black bean' from a Texas rifle;" R. M. Potter: "The Ladies of Mexico, against whom I bear no malice, whatever I might say of the men; to them the distress of the Texian prisoners never appealed in vain, and, so far as they are concerned, I am a Christian and love my enemies;" David G. Burnet: "General Taylor and his army—the pioneers to the political and moral enlightenment of Mexico;" Thos. W. Ward: "To the memory of Stephen F. Austin;" A. C. Horton: "Gov. J. P. Henderson—we hail with pleasure his safe return among us from a glorious campaign, in which he acted so distinguished a part, and trust he may be soon restored in renewed health to the bosom of his family."

An interesting part of the program was the recitation of Potter's "Hymn of the Alamo" and Ira Munson's "Our Flag."

"The company next repaired," says the *Texas Democrat* of November 18, 1846, "to the ballroom, which was tastefully ornamented by evergreens and decorated by the broad flag of the United States and (what was dear to the heart of every Texian) our own proud starlit banner of by-gone days surrounded by the trophies of San Jacinto, the colors of the different Mexican regiments that were beaten on that famous field. Not the least finely executed conceit was a pyramid, erected 'To the Vanquishers of Monterey,' surmounted by the flags of the United States and of the former Republic of Texas. Youth, beauty, and wit and worth were present—pleasure danced upon every countenance—gaiety flashed from every eye. Fairy forms floated through the mazy

dance—the ear of the lovely heard, with pleasure, praises as they gushed from the lips of the brave and generous. The drowsy ear of Night was disturbed by the dulcet notes of the violin and the measured tread of the dance, and the sable curtain of darkness was almost withdrawn when the party dispersed. Each one seemed to feel that

“ ‘Joy so seldom weaves a chain
Like this to-night, that oh, ’tis pain
To break its link so soon.’ ”

“This festive affair was a marvelous reminder of the inauguration ball of President Houston at the same place about five years before. But how wonderfully changed for the better the fortunes of Texas now, jollifying over her old enemy in the act of biting the dust!”

No Texan ever won a brighter military reputation than Henderson in the United States army before or since; but his forte was statesmanship. Henderson's state papers, as diplomat and Governor, entitle him to the first rank among the truly great men of Texas.¹⁵

¹⁵ Henderson was from the Old North State. He reached Texas with his military company in 1836, just too late for the battle of San Jacinto. He was one of those magnetic men that impress you at first sight as being of no ordinary stamp. He was tall and rather delicate in appearance, with light hair, fair complexion, and fine gray eyes; affable, and sparkling all over with genuine vivacity. Houston soon learned to like him and always regarded him as one of our ablest men. Henderson successively filled the offices of attorney general, secretary of state, minister to England and France, and minister to the United States before becoming governor and was recognized by the bar as one of the most brilliant lawyers in the State.

CHAPTER ELEVEN.

Wood's Administration—Federal Usurpation at Santa Fe—The Public Debt—Governor Bell—Settlement of the Santa Fe Question—Seat of Government Election—Texas Newspapers—Scaling the Public Debt—Whig Convention in 1852—Election of Pease as Governor Over Ochiltree—Education, Railroads, Public Buildings—Settlement of the Public Debt—The Know-Nothing Party—The Organized Democracy in 1856—Know-Nothing Convention at Austin—Houston the Know-Nothing Leader in Texas—The National Canvass, and Personal Incidents.

In 1847, at the first general election under the State government, Geo. T. Wood, of Polk County, colonel of the Second Texas regiment at Monterey, was chosen Governor, and John A. Greer, of San Augustine, Lieutenant-Governor.¹⁶

The disturbing question at this time was the Santa Fe territory. It was organized by the Second Legislature into Santa Fe County, and made one of the judicial districts of Texas, and Judge S. M. Baird was commissioned by Governor Wood to proceed to Santa Fe and organize his court. The United States military forces had conquered Santa Fe in 1846, and did not seem disposed to acknowledge the sovereignty of Texas over that territory. On its first occupancy, however, by Federal troops, Governor Henderson had protested against it to President Polk, asserting the right of Texas to all the country on the east side of the Rio Grande, up to its source. The reply, through the Secretary of State, Mr. Buchanan, was that the Federal occupancy was only temporary and not in derogation of the rights of Texas.

* 16 Geo. T. Wood was a native Georgian, and came to Texas in 1836, about the time I arrived, and became a planter in Polk County. Wood was a quiet, unassuming man, of considerable force of character, as evidenced by his being elected Congressman of the Republic, brigadier general of the militia, colonel of a regiment of volunteers, and lastly, Governor of the State.

He was called a good-looking man, and was of more than medium height; well formed, strong and vigorous in appearance.

At the expiration of his term as Governor he retired to private life, and died in Panola County in 1856.

But President Taylor refused to be bound by the action of President Polk, and it really seemed as if the Federal government, under a Whig administration, was going to show bad faith to Texas. Governor Wood in all his official papers vigorously maintained the right of Texas to Santa Fe and to all the territory east of the Rio Grande, our western boundary line as established by law in 1836. The Legislature, by joint resolution, reasserted that right and instructed our senators and representatives in Congress to use their utmost endeavors to have such measures taken by the Federal government as would secure Texas from any encroachment upon her rights by the people of Santa Fe, and requested the Governor to ask the President of the United States to order the military officers at Santa Fe to aid the officials of Texas in effecting the county organization. The excitement ran high in Texas, and even war appeared not improbable, but the matter drifted and went over for settlement to the next administration.

The public debt question was also pressing for settlement. In a message to the Legislature, Governor Wood said: "The debt must be paid. The honor of the State must stand without blemish." The Legislature, in response, enacted a law requiring the Auditor and Comptroller of Public Accounts to notify through the newspapers of Austin, New Orleans, New York, and Washington, all holders of claims against the Republic of Texas to present them for allowance on or before November, 1849.

At the next election, in August, 1849, Wood was beaten for the second term by Peter Hansbrough Bell, and Greer succeeded himself as Lieutenant-Governor. John W. Harris was elected Attorney-General, James B. Shaw Comptroller, and Thos. Wm. Ward Commissioner of the Land Office. W. D. Miller was appointed Secretary of State, and J. C. Pitts Adjutant-General.¹⁷

¹⁷ Peter Hansbrough Bell was a Virginian—a fine type of southern gentleman, a well-built, handsome young fellow when he landed in Texas. He displayed much pluck and determination in participating as a private in the battle of San Jacinto. He was always affable and kind; became popular; rose rapidly in public estimation; commanded a company of rangers at an early day; fought bravely at Monterey as lieutenant-colonel in Wood's regiment, and then became Governor of Texas. He afterwards married in Washington City a wealthy lady who

This Legislature extended the time for creditors to present their claims against the Republic to September, 1851, after which they would be barred, and also passed a law to pay off the public creditors in land at 50 cents per acre. But few accepted this offer, as confidence in the good faith of the State was unimpaired. The final solution of the public debt, however, came only with the settlement of the Santa Fe question by Congress.

Texas had, through Governor Bell, expressed her desire to sell part of the public domain to the United States in order to pay the public debt. An opportunity soon offered by the passage through Congress of the Pearce boundary bill. Under this Texas was offered, in exchange for her Santa Fe claim, \$10,000,000 in stock, bearing 5 per cent interest, and redeemable at the end of fourteen years. The stock was to issue as soon as the President was informed officially of the acceptance of the offer by Texas; provided, that not more than \$5,000,000 were to be paid until the creditors of the State filed at the treasury of the United States releases of claims against the United States.

The question of the acceptance of the provisions of the Pearce boundary bill was decided, by popular vote, in the affirmative, after thorough discussion.

Many indignation meetings, however, were held over the State, and it looked for awhile like the measure would be defeated and that a fight was inevitable. Mississippi offered to aid Texas in the event of war. But the Legislature accepted the bill, and thus a quietus was put upon two disturbing questions: the Santa Fe dispute was honorably settled, and the public debt put in a course of easy liquidation.

The Constitution fixed the seat of government at Austin until 1850, and then it was to be determined by a popular vote until 1870. At that time another election was to settle the seat of government question permanently.

At the election on this subject held in March, 1850, Austin received 7674 votes, Palestine 1851, and Tehuacana 1143. There

owned much slave property. After living in Texas a short time they removed to North Carolina. When the slaves were freed, Bell was left in his old age very poor. He was on the pension roll of Texas at the time of his death a few years ago.

were a few scattering votes cast for Washington, Huntsville, and other towns. So this vexed question was settled in favor of Austin for twenty years at least.

As an evidence of progress in Texas may be mentioned the following list of newspapers published in 1849: *Aegis of Truth*, Henderson; *American Flag* (Spanish-English), Brownsville; *Bonham Advertiser*, Bonham; *Civilian and Galveston Gazette*, Galveston (tri-weekly and weekly); *Colorado Tribune*, Corpus Christi; *Corpus Christi Star*, Corpus Christi (Spanish-English); *De Cordova's Herald and Immigrants' Guide*, Houston (monthly); *Telegraph and Texas Register*, Houston; *Galveston News*, Galveston (tri-weekly and weekly); *Galveston Zeitung*, (German, weekly and semi-weekly); *Houston Gazette*, Houston; *Independent Monitor*, Jefferson; *Mercantile Advertiser*, Houston; *Morning Star*, Houston (tri-weekly); *Nacogdoches Times*, Nacogdoches; *Northern Standard*, Clarksville; *The Pioneer*, Palestine; *Star State Patriot*, Marshall; *Texas Banner*, Huntsville; *Texas Presbyterian*, Houston; *Texas Ranger*, Washington; *Texas Republican*, Marshall; *Texas State Gazette*, Austin; *Texas Union*, San Augustine; *Wesleyan Banner*, Houston; *Western Star*, Clarksville; *Western Texan*, San Antonio.

The list is taken from an issue of the *Texas Republican*. Of these newspapers, the *Telegraph*, then of Columbia, is the only one that I can call to mind as published in Texas in 1836. In this list are the historic newspapers of early Texas: The *Telegraph and Texas Register*, antedating the Republic; the *Galveston News*, founded in 1842; the *Northern Standard*, Col. Chas. De Morse's organ; the *Texas Republican*, edited by Col. R. W. Loughery; the *Morning Star* (the first Texas daily), published by Cruger, and the *Texas State Gazette*, founded by W. H. Cushney in the fall of 1849. The *Gazette* soon got to be, under the editorial control and management of John Marshall, a paper of widespread political influence.

The death of David S. Kaufman in 1851, at Washington, left a vacancy to be filled in the Eastern congressional district. Several candidates announced for the office, among others Richardson Scurry and Judge O. M. Roberts, the latter of whom resigned his office as judge of the Fifth district to enter the race. At the Democratic congressional convention held at Henderson

in June, 1851, Scurry beat Roberts for the nomination, and was elected by a good majority at the polls.

This, I believe was the first nominating Democratic convention ever held in Texas. No business other than the selection of a candidate for Congress was transacted by it.

In 1851 Bell was re-elected Governor, James W. Henderson succeeded Greer as Lieutenant-Governor, and Dr. Chas. G. Keenan was elected Speaker of the House.

Under a system of scaling adopted by the Legislature the public debt began to be rapidly paid off, but not entirely to the satisfaction of all the creditors. Scaling was bad, but it was borrowed from the practice of the United States in settling their first war debt. Governor James Hamilton, the early financial friend of Texas, opposed scaling in toto, saying, "What a nation promises to pay is its public debt." Volney Howard, Pillsbury's successor in the Western district, declined a re-election to Congress in the spring of 1853, and removed to California to accept a Federal office tendered him.

Governor Bell, chosen congressman in Volney Howard's district over Wm. R. Scurry in 1853, turned over his office to Lieutenant-Governor J. W. Henderson, who acted as Governor a few weeks. J. W. was called by the familiar sobriquet of "Smoky," to distinguish him from the elegant J. Pinckney.

In April, 1852, a Whig convention for Eastern Texas was held in Tyler and organized by the election of C. C. Mills, of Harrison, as chairman, and J. R. Armstrong, of Rusk, and T. Lewelling, of Smith, as secretaries.

Strong Whig, or anti-Democratic, resolutions were reported by the committee (Ochiltree, Trimble, Gammage, Swan, and John C. Robertson) and adopted. Colonel Mills was nominated as elector for the State at large, and Dr. Throckmorton, of Collin, elector for the First Congressional district. Wm. Stedman, of Harrison, and others were selected to prepare an address to the people. A full delegation, headed by W. B. Ochiltree and Ben Epperson, were appointed delegates to the ensuing National Whig convention. In conclusion, Jno. C. Robertson, of Smith, expressed his dissent from the resolutions adopted, and begged leave to retire from the convention.

In view of the organized opposition, the Democrats tried to assemble a State convention in 1853, first, in February at Austin, and in June at Washington, but without success.

The Whigs centered that year on W. B. Ochiltree for Governor. E. M. Pease, J. W. Dancy, Geo. T. Wood, M. T. Johnson, and Thomas J. Chambers were his Democratic opponents. Things began to look squally for the Democracy, but at the crucial moment M. T. Johnson nobly withdrew from the race and, throwing his influence to Pease, caused his election.

David C. Dickson was elected Lieutenant-Governor; Thos J. Jennings, Attorney-General; Jas. B. Shaw, Comptroller; Jas. H. Raymond, Treasurer, and S. R. Crosby, Commissioner of the Land Office. Ed. Clark was appointed Secretary of State.

Geo. W. Smyth was elected congressman in the Eastern district without opposition.

Pease, it will be remembered, was my predecessor in the comptrollership under President Houston. Since that time (1837) he had largely developed his mental powers, and when chosen Governor was considered a fine constitutional lawyer, a great statesman, and a patriot of incorruptible integrity. Besides this, Pease was wideawake and progressive in his views of public policy.

The Governor favored the establishment of a general educational system, including both common schools and a university. On his recommendation the Legislature provided for a system of free schools and set apart for its maintenance \$2,000,000 of the Santa Fe bonds. It failed to establish a university, because the friends of the measure disagreed as to whether there should be one or two universities. The school system was a crude one; but, carrying with it the money endowments, indispensable to vitalizing the educational clause of the Constitution, it was a move in the right direction.

Railroad building was encouraged by a donation of sixteen sections of land per mile to all companies constructing as much as twenty-five miles, and, for further encouragement, a loan was made to the railroad companies of \$6000 per mile out of the school fund. General Sidney Sherman, as has been before mentioned, was the pioneer railroad builder in Texas. His road, the Galveston, Harrisburg & San Antonio, inaugurated at Harris-

burg in 1853, extended to the Colorado at the beginning of the civil war. Next was begun the Houston & Texas Central, under Paul Bremond.

The Legislature also made ample provision for the building and endowment of the several asylums at Austin.

The canvass of 1855 made still plainer the necessity for strict Democratic organization. In June of that year the Know-Nothing party held a State convention¹⁸ at Washington, on the Brazos, and nominated David C. Dickson for Governor, W. G. W. Jowers for Lieutenant-Governor, John Hancock for Congress in the Western district, and Lem D. Evans for Congress in the Eastern district.

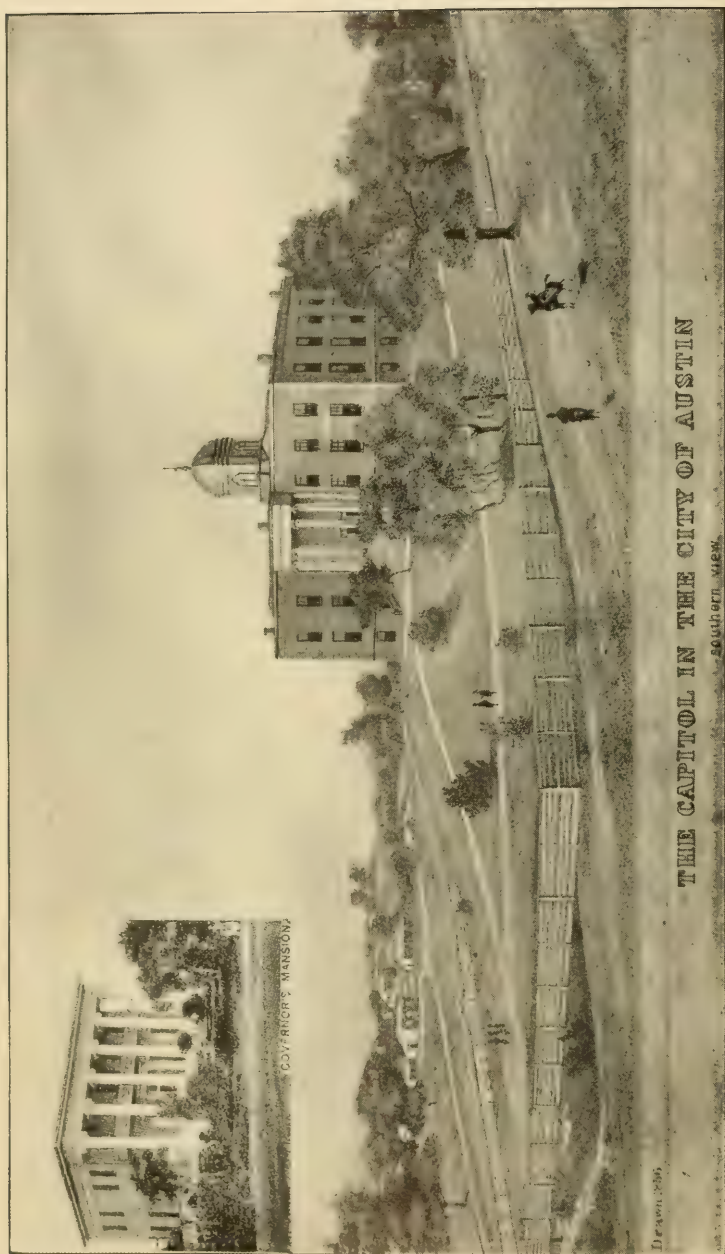
Governor Pease, though not entirely acceptable to the Democracy on account of his favoring State construction of railroads, had no Democratic contestant, and beat Dickson about 9000 votes. Hardin R. Runnels of Bowie was elected Lieutenant-Governor. Ex-Governor Bell was easily re-elected to Congress in his district, in spite of the efforts of the independents for Judge Hancock. In the east, the canvass against Lem. Evans opened with three Democratic candidates in the field: Geo. W. Chilton, Jno. T. Mills, and Matt Ward. Chilton and Mills, however, soon withdrew in favor of Matt Ward. After a hard fight Evans was elected by a close margin, General Houston's influence, perhaps, turning the scale in his favor.

The new stone capitol, on Capitol hill, begun in Bell's administration and finished in 1855, was first occupied by the Sixth Legislature, November 5, 1855, and Speaker H. P. Bee, on taking the chair, made some felicitous remarks on the completion of the capitol.

Governor Pease also had the honor of christening the executive mansion (built during his term of office) by making it his official residence.

In his message to this Legislature the Governor called attention to the subject of internal improvements and the unsatisfactory condition of the public debt. He boldly advocated the

¹⁸ R. E. B. Baylor was the grand president; first vice-president, Thos. M. Likens, of Rusk; second vice-president, N. Holland, of Austin, third vice-president, J. L. Hewitt, of Bexar.



THE CAPITOL IN THE CITY OF AUSTIN

southern view

Photo by Hill.

Drawn by Wm. von Rosenberg.

construction and ownership of railroads by the State, in which he differed from the Democratic party. Experience with these great corporations has made many Democrats, since then, favor Pease's policy. It is needless to say, perhaps, that I think railway legislation by a commission is the proper thing under all circumstances.

The expenses of the State government had been paid out of the Santa Fe fund for several years, and the State taxes had been relinquished to the several counties for the purpose of building courthouses and jails. Governor Pease, believing that the time had come to change this policy, recommended the repeal of the law on this subject.

Finally Congress intervened in behalf of dissatisfied creditors of the Republic and passed a law, first known as the "public debt bill," allowing Texas \$2,750,000 additional to the remaining \$5,000,000 still due. This enabled Texas to raise the scale adopted and pay nearer the face value of the public debt. The payment of this additional amount was conditioned on the relinquishment by Texas of all her claims against the United States for Indian depredations during the existence of the Republic, amounting, according to Senator Rusk, to about \$3,800,000. This was rather a hard bargain, and the "public debt bill" was submitted to a popular vote for acceptance or rejection—not a bad way to settle a grave public question. The people of Texas accepted it at the ballot box, and the Legislature enacted the necessary law, after a sharp debate. With the additional funds, the whole debt, on its face amounting to about \$11,000,000, but scaled down to a little more than half that amount, was paid as rapidly as the adjustments could be made. No creditors in the world's history ever received a greater per cent on their investments than did the creditors of Texas.

In this canvass an expression of sympathy for, or identification with, the Know-Nothing party, or American Order, as sometimes termed, was drawn from General Houston. In answer to a letter of inquiry as to his attitude towards the Know-Nothing party (written from the town of Independence, in July, 1855, and signed by W. A. Baldwin, John C. Eldridge, Henry L. Graves, Geo. B. Davis, John P. Collins, Asbury Daniel, S. G. Lipscomb, and Jabez Dean), General Houston, under date of July 24th,

from the same place (then his residence), wrote a long communication, from which I make only these extracts, to show his status as a party man:

"Whilst the triumphs of American principles were reverberating throughout the Union, I was silent. When these principles are said to be in eclipse, I come forward in cheerfulness and declare that I believe the salvation of my country is only to be secured by an adherence to the principles of the American Order. . . . Secret societies have always been dangerous to despots and tyrants. They have denounced and proscribed Masonry; the pope and other potentates have crushed the ancient order in their dominions. . . . We have a high and holy duty to perform to our country, and if we, as Americans, can not maintain and preserve our freedom, is it possible, or even probable, that we will find a safe depository in the hands of foreigners, or the satellites of a pope whose system of religion overwhelms all American Protestants with denunciations while living, and denies their bodies burial after death in Catholic countries?" This letter was considered an avowal of his connection with the Know-Nothing party, concerning which the *Texas Republican* editorially said: "General Sam Houston comes out clearly and unequivocally in favor of the Know-Nothing party." General Houston was the central figure at the great Know-Nothing rally at Austin on the 23d and 24th of November, during the session of the Legislature. On that occasion the general made a great speech in advocacy of Know-Nothingism as against the organized Democracy, saying among other things: "I am a Democrat, a Jackson Democrat. I have never been anything else. He was the first statesman I ever admired. . . . I adopt and admire the principles of the American party. It is the only party, in my opinion, whose principles will maintain the perpetuity of our free institutions. . . . I am for Americans ruling America."

The weather had been very inclement and it was still lowering the next day. Nevertheless, a grand Know-Nothing procession paraded around the capitol. It was headed by the San Antonio delegation on horseback, followed by a car full of young ladies dressed in tri-color and each bearing a shield representing the

several States of the Union. Meanwhile Gen. Hugh McLeod,¹⁹ addressing the Know-Nothing, or American, party and sarcastically alluding to Houston's speech, noticed the continued bad weather, and said: "I hope it is not an omen of the failure of your cause; but if it is, fellow citizens, propitiate it by a timely sacrifice, throw Jonah [Houston] overboard. The prophet has failed to deliver the true message to the people—his excuses are ingenuous, but deceptive, and the ship will labor as the storm increases. The sacrifice is due to Nineveh, and the ship to Democracy and America. Jonah should be thrown overboard."

It could scarcely be said that the Texans were thoroughly American till they had put themselves in accord with the great political parties of the Union. When happily free from the embarrassments of a public debt and a boundary dispute, Texas was ripe for party organization. Up to 1856 there were as many individual candidates for Governor as chose to run. Hobbies, apart from the great party issues, were common to all of them, and the canvasses appeared unseemly scrambles to get into office without regard to fixed principles or questions of public policy. Always dangerous to Democratic success, the practice had now grown to be a nuisance. Principles, not personalities, were to determine henceforth.

At a meeting of the Democratic party, held in the hall of the House of Representatives on the evening of the 15th of January, 1856, on motion of Hon. H. P. Bee, Col. Matt Ward, of Cass, was called to the chair; whereupon, on motion of Hon. H. R. Runnels, of Bowie, F. R. Lubbock, of Harris, was appointed secretary. The chairman having explained the object of the meeting to be preparatory to the organizing of the Democratic convention, E. A. Palmer moved a call of the counties with the names of the delegates. There were ninety counties, represented

¹⁹ McLeod was a Virginian and a West Pointer in military training; came to Texas during the revolution; was aide to Gen. Rusk in the Cherokee war in 1839; led the disastrous Santa Fe expedition in 1841, and had been a member of the Texan Congress and of the State Legislature. Houston and McLeod were not friends. He died a Confederate brigadier, in Virginia, in 1861. His remains rest in the State cemetery at Austin.

with the names of two hundred and forty-five delegates.²⁰ Upon the call being concluded, Judge J. Mills, of Lamar; Wm. R. Scurry, of Victoria; General Waul, of Bexar; F. R. Lubbock, of Harris; Colonel Hubbard and Jack Davis, of Smith; Guy M. Bryan, of Brazoria, and Thomas J. Jennings, were severally called upon and addressed the meeting.

On motion of Ashbel Smith, of Harris, it was

"Resolved, That this meeting now adjourn until tomorrow at 3 o'clock p. m., at that time to meet in convention in the hall of the House of Representatives."

In accordance with the resolution passed on the 15th, the Democratic State convention met in the Hall of Representatives at 3 p. m. January 16, 1856, Matt Ward, of Cass, in the chair, and F. R. Lubbock secretary.

On motion of A. G. Weir, of Travis, the rules of the House of Representatives were adopted to govern the convention, as far as applicable.

On motion, Matt Ward, of Cass, was declared by acclamation president of the convention. The vice-presidents were John T. Mills, of Lamar; N. G. Weir, of Travis; J. M. Devine, of Bexar; G. W. Hill, of Navarro; Wm. S. Taylor, of Cherokee; J. W.

²⁰ Among those present, not elsewhere mentioned, were: Jesse Billingsly, of Bastrop; James Shaw, of Brazos; E. H. Rogan, of Caldwell; E. B. Scarborough, of Cameron; M. D. K. Taylor and J. F. Nash, of Cass; Wm. S. Taylor and R. H. Guinn, of Cherokee; H. Seele and Jacob Waelder, of Comal; Jos. F. Crosby, of El Paso; J. W. Dancy, of Fayette; M. M. Potter and Jno. Henry Brown, of Galveston; W. T. Lockridge, of Gonzales; C. R. Johns, of Hays; P. B. Greenwood, of Henderson; R. L. Askew, of Hopkins; C. H. Randolph, of Houston; Jas. Hooker, of Hunt; F. M. White, of Jackson; M. J. Bonner and W. M. Williams, of Lamar; E. T. Branch, of Liberty; N. W. Battle and Thos. Henderson, of McLennan; Alex W. Sneed, of Milam; Matt Whittaker and Thos. P. Ochiltree, of Nacogdoches; G. W. Hill, of Navarro; W. R. Poag, of Panola; W. R. Moore, of Polk; Giles Boggess, M. D. Ector, J. H. Parsons and C. J. Garrison, of Rusk; G. W. Chilton and E. E. Lott, of Smith; Isaac Parker, of Tarrant; W. S. Oldham, Jas. G. Swisher, G. W. Paschal, P. DeCordova, P. B. Calhoun, A. W. Terrell, Jno. Marshall, Geo. Flournoy; Jno. W. Harris and E. M. Pease, of Travis; N. B. Charlton, of Tyler; Jno. J. Lynn, of Victoria; Jno. S. Besser, of Walker; J. W. McDade and Jas. Willie, of Washington; Jonathan Russell and Henry Stout, of Wood.

Dancy, of Fayette. F. R. Lubbock, T. J. Johnson of Cherokee, and R. E. Clements of Bexar, were declared secretaries.

As the basis of representation it was resolved, on motion of Mr. Brown, of Galveston,

"1. That every county in the State which may have delegates in this convention shall be entitled to one vote, regardless of its representation in the State Legislature.

"2. That all counties entitled to separate representation in the State Legislature shall, in addition to the vote aforesaid, be entitled to as many additional votes as such county or counties may have separate representatives in the House of Representatives."

Where a county had no delegate in the convention, any respectable citizen of that county was allowed, on motion of R. B. Hubbard, a seat as its representative. Over two hundred delegates were present from ninety-one out of ninety-nine counties.

The committee on the platform consisted of J. H. Carsons, chairman; T. N. Waul, Ashbel Smith, Wm. S. Taylor, Wm. R. Scurry, C. R. Johns, Nat Terry, John T. Mills, Geo. W. Paschal, H. R. Runnels, H. P. Bee, J. M. Burroughs, and M. M. Potter.

The main features of the platform adopted, were reaffirmance of the principles of the Democratic party, as embodied in the Baltimore platform of 1852; opposition to all secret political societies, whether called American, Know-Nothing, or by any other delusive name; opposition to all proscription on account of place of birth or particular religious creed; endorsement of the Kansas-Nebraska Act as "a triumph of the Constitution over fanaticism and sectional madness;" equality of the States and the right of slavery to protection in the Territories until admitted as States into the Union, at which time the people will say in their Constitutions whether slavery is to be tolerated any longer or not.

Mr. Chilton, of Smith, offered a resolution approving the vote of Senator Rusk and condemning that of Senator Houston on the Kansas-Nebraska bill. On a portion of the language of said resolution there was considerable discussion, in which Mr. Chilton favored and Messrs. Davis of Smith, Scott, Ashbel Smith of Harris, Oldham, Mills of Lamar, Waul and Lubbock opposed

the adoption of the resolution, whereupon Judge Oldham offered the following substitute, which was unanimously adopted :

"Resolved, That this convention do most fully and cordially indorse and approve the votes of Senator Rusk and Representatives Geo. W. Smyth and Peter H. Bell upon the Kansas-Nebraska Act, and that we do further most decidedly disapprove the vote of Senator Houston upon said act, as not in accordance with the Democracy of Texas."

My unwavering personal regard for General Houston caused me to oppose the strong condemnatory original resolution; yet it could not be denied that Houston, in his vote on the Kansas-Nebraska Act, had parted company with the Texas Democracy. I voted for the substitute. Though we belonged to opposing political parties after 1854, our friendship was never interrupted to my knowledge. I never ceased to respect him for his talents and patriotism.

There appeared in the convention several political aspirants fresh from the ranks of Know-Nothingism who, in my opinion, were ready to bolt if they failed to get the desired nomination. For their special benefit I submitted the following resolution :

"Resolved, That this convention will support no person as a nominee for any office, or place of trust, unless fully satisfied by his acts and declarations, or the assurance of his friends in this convention, that he is fully united with the Democratic party upon all the issues now existing between them and their opponents, and that such nominee will abide the decision of this convention and support all its nominees with zeal and fervency."

Its appositeness was at once seen, and after a little discussion it was adopted.

The following nominations were made: Attorney-General, James Wilie, over T. J. Jennings; Comptroller, Jas. B. Shaw [My name was put before the convention with that of Mr. Shaw. This was a surprise to me, and as I did not wish the honor, I quickly arose and addressed the convention, declining the nomination in favor of Mr. Shaw, who was then declared the nominee by acclamation]; Treasurer, Jas. H. Raymond, over M. D. Ector, C. H. Randolph, and N. B. Charlton.

The following were selected as delegates to the National Democratic convention at Cincinnati: Eastern district, Matt Ward,

R. B. Hubbard, W. C. Pollock, S. R. G. Mills; Western district, H. P. Bee, Guy M. Bryan, Jacob Waelder, W. S. Oldham. And the following as presidential electors: State at large, Frank W. Bowden and Wm. R. Scurry; Eastern district, A. J. Hood; Western district, A. J. Hamilton.

Besides these, as a hot canvass was anticipated, sub-electors were appointed for the seventeen judicial districts of the State. I was sub-electors for the Seventh judicial district.

Ashbel Smith, T. N. Waul, M. M. Potter, Nat Terry, M. D. Ector, Bird Holland, and N. B. Charlton were appointed a committee to prepare an address to the people, and the following were selected as a State Central Committee: Geo. W. Paschal, S. G. Sneed, G. W. Chilton, S. H. Morgan, Jas. C. Wilson, J. Pinckney Henderson, Thos. S. Lubbock, and John J. Linn—men afterwards widely diverging in political sentiment.

The convention "resolved" John Henry Brown and myself into a committee to superintend the printing and distribution of its proceedings, and thus forced on me a little longer stay in Austin.

The *State Gazette* (John Marshall and W. S. Oldham, editors) complimented President Matt Ward on his efficient and impartial discharge of the duties of presiding officer, and for that portion of his utterances in which "he proceeded to caution the Democratic party against, and condemn, that class of men who claim to be Democrats and yet advocate the principles of Know-Nothingism."

The ticket seems to have been acceptable, as the *Telegraph* says editorially: "Every name will prove a tower of strength."²¹

²¹ "We congratulate the party in this county and district," continues the *Telegraph*, "on the selection of our friend Francis R. Lubbock, Esq., as district elector. Mr. Lubbock is, and always was, a staunch and unflinching friend to the party, and possessing so great a degree of personal popularity and thorough ability to defend the principles of the platform, he will be carried triumphantly through the canvass. A better selection could not have been made." After noticing Mr. Lubbock's withdrawal in favor of Shaw for Comptroller, the *Telegraph* says: "Mr. Lubbock held the office (Comptroller) in the early days of the old Republic and discharged its duties with great ability and faithfulness, and those now who knew him well would place his claims on the score of fitness second to none in the State."—ED.

My resolution on party fealty and obligation continued the rule in Democratic conventions until the doctrine was universally accepted by fair-minded men. It was indeed a kind of paraphrase of the golden rule as applied to politics. I have never thought of departing from it; not that I have always approved, in my conscience, of party action, for that in some instances has been contrary to my judgment, but for the reason that fidelity to the party in whose cardinal principles I fully believe is under any and all circumstances preferable to giving aid and comfort to its enemies. This conviction is based upon the fact that party government is necessary in all free countries, especially in ours.

The State convention of the American, or Know-Nothing, party was held at Austin January 21, 1856.

John Caldwell, of Bastrop, was elected president, and the secretaries were L. H. Hutchings, of Travis, and Ben F. Hill, of Calhoun.

Gen. Hugh McLeod, Hon. W. P. Kittrell, and Judge J. W. Allen, being successively called upon, most eloquently addressed the convention in advocacy of the principles of the American party, as also did W. H. Henderson, of Travis, B. B. Fly, of Gonzales, and J. W. Flanagan, of Rusk.

The presidential electors were: John A. Wilcox, of Bexar, and Robert H. Taylor, of Fannin, for the State at large; J. W. Flanagan, of Rusk, for the Eastern district, and Thomas W. Blake, of Leon, for the Western district. Wm. Stedman, of Rusk, was nominated for Attorney-General; Wm. Tarlton, of Harrison, for Treasurer, and E. S. C. Robertson, of Bell, for Comptroller.

The platform expressed devotion to the Constitution and the Union, and declared in favor of native Americans for office; extension of the naturalization period for foreigners to twenty-one years; liberty of conscience and liberty of the press, and the abolishment of the secrecy in the party's proceedings. It omitted the clause in the national platform proscribing Catholics.

The national platform, adopted at Philadelphia, February 21, 1856, professed fealty to the Constitution and Union; opposed interference with slavery in the States; declared that Americans must rule America; favored requiring a residence of twenty-one years in the country for the naturalization of foreigners, and

opposed the elevation to office of any person who acknowledged allegiance to any foreign prince, potentate, or power. The latter enunciation was aimed at the Catholics, who, it was claimed, acknowledged allegiance to the pope. According to Know-Nothing tenets, none but native-born Protestant citizens should be favored for office. Ex-President Millard Fillmore and Andrew Jackson Donelson, the latter of whom figured so prominently in annexation, were put forward as the party's national standard bearers.

General Houston was the acknowledged leader of the Know-Nothing party in Texas, and had already thrown down the gauntlet of defiance to the Democracy in a great speech under the very nose of a Democratic Legislature.

My cattle business, persisted in for ten years on Briscoe's advice, had indeed proved prosperous before the end of that period, and the ranch and farm were in 1855 paying a large revenue over and above expenses. In fact, I had become the largest cattle owner between the Trinity and the Brazos. This was the result of close attention to business and giving it my personal supervision, while a responsible deputy kept in good shape the affairs of the district clerk's office.

I now felt safe in venturing out into State politics, and I had no hesitancy in accepting the position of delegate to represent my county in the first Democratic State convention ever held in Texas, and being appointed one of the sub-electors, I felt in honor bound to serve the party.

In 1856 the National Democracy was confronted by two new hostile political organizations, to wit, the Republican party, the embodiment of the anti-slavery idea, and the American, or Know-Nothing, party, whose cardinal principle was the proscription of foreigners and Catholics.

As a district elector in the presidential canvass of 1856, I made an active canvass in the counties east of the Brazos River, including Harris, Montgomery, Walker, Grimes, Polk, Tyler, Trinity, Houston, Anderson, Cherokee, Madison, Leon, Rusk, and others.

While the Know-Nothing party had been about killed off in Virginia by the forcible teachings of the great Henry A. Wise, it still lingered in Texas, and that party and all the isms were

fighting, as they have ever done, the Democratic party, so that it made the canvass interesting and somewhat heated.

I recall an incident that took place in Madison County while I was addressing a large audience, with General Blake and Captain Whaley, my opponents, sitting on the stand. Whaley afterwards commanded a fine company in the Confederate army, called the "Leon Rifles," and died gallantly on the battlefield.

An old man, rising up from his seat, called to me in a stentorian voice: Stop, sir, stop!" I complied with his request. He went on to tell me that I was an ingrate, a deceiver, a backslider; how dared I come traveling over the country making war on the Know-Nothings, when I had before that traveled around the country organizing lodges and persuading the people to join that party. I soon saw the drift of his charges and allowed him to give me a most terrible scourging, knowing full well that I should turn the occurrence greatly to my advantage and his complete demolition. Upon his taking his seat I denied most emphatically every assertion he had made. He became very restive at my denial. I then appealed to Blake and Whaley to sustain me. They were Know-Nothings, and knew I was not. After keeping the old man on the rack for awhile, I explained that it was a brother of mine who had allowed himself to be drawn into that party with so many other good Democrats, and then depicted my love for this brother and his love for me, and yet how he had, as I said, sneaked in without telling me a word of it, knowing my animosity to all secret political parties, and that it was about the only step he ever took in his mature life without conferring with me. The old man was completely demolished and entirely reconciled when I got through, admitting that he had been, as he expressed it, "fooled into that crowd himself."

While on this canvass, A. P. Wiley, Esq., a lawyer of note and a fine speaker, residing at Huntsville, Walker County, visited several points with me. In hastening to Huntsville, at which place speaking was to take place the next morning at a barbecue, night overtook us amid the pines and tall trees near there. A stranger to the road myself, Wiley was the guide. At that time considerable milling was done near the town, and he drove our horse into a mill road. We floundered about through the timber from road to road. It was very warm—an August day.

We had gone through an exciting day; both of us had made long speeches, and then we were badly lost in the woods. Wiley would get out of the buggy, examine the road, get in, and start again. Upon getting in the buggy after quite a trot in the road, fatigued, the perspiration rolling off him, he turned to me and said in the most plaintive manner: "Lubbock, we are doing a deal of hard work, undergoing great hardships and trials for Buchanan; do you think he will ever hear of it?" I replied, "It's all right; we are working for the Democratic party."

Apropos of this, after Mr. Buchanan was elected I visited Washington City. Our Senator Wigfall gave me an opportunity to see the President, and said to him: "I wish to introduce to you a Texas friend of mine. No man in that State labored more earnestly in your election, and I wish to say he desires nothing." Mr. Buchanan shook me by the hand and appeared quite amazed at the announcement, saying, "It is really strange that your friend wants nothing." I know he was glad to see a good Democrat that time.

In this canvass the Democratic speakers had clearly the inside track, pleading for equal rights to all, without regard to religious belief or nationality. Besides, the Democratic party was the annexation party in the United States, and Texas had been almost a unit on that question. The opposition speakers could not hold their own on the issues presented, and Texas went Democratic by twelve or fifteen thousand majority.

The Know-Nothing party in the presidential canvass of 1856 carried only one State—little Maryland.

Its first national canvass was its last. The party then sunk into oblivion. Even General Houston's great name was not able to give respectable vigor in Texas to a party whose tenets were so abhorrent to the ideas of free government cherished by the Democracy and the American people at large. Its memory was so unsavory that many Know-Nothing leaders the very next year (1857) denied all connection with that party until it was proved up on them. General Houston himself ignored poor old Fillmore, and set himself down in the canvass of 1857 as being a Jackson Democrat and as having always been one, as if Jackson Democracy was identical with Know-Nothingism. The general

had, however, prepared himself for this change in his Independence letter of 1855, in which he claimed, in substance, that Washington and Jackson were Know-Nothings. He had also said at Rusk, ten days before coming to Austin, that modern Democracy proposed no remedy against papal influence; that the Whig party had lost its identity, and that there was only one party to which the American people could look for governmental reforms and protection against threatening danger. To that party, he said, he looked with most sanguine expectations for our beloved country to be redeemed from its perilous condition, and in that connection expressed the opinion that the time was rapidly approaching when Americans must govern America, or our great efforts for freedom prove a failure.

As to the general's identification with Know-Nothingism, Col. Jno. S. Ford, himself a strong Know-Nothing, editorially says in the *Texas State Times* of January 19, 1856: "General Houston has evinced a moral courage in his defense of the American party and its principles which his enemies would not have accorded him. . . . The party has had no more eloquent, fearless, and powerful advocate than General Houston. His speeches have told with effect upon the masses."

CHAPTER TWELVE.

Waco Convention and Its Nominees, Runnels and Lubbock vs. Houston and Grimes — Candidates for Congress — Canvass for the State Ticket — Reagan and Evans Difficulty — Various Incidents — Complete Democratic Victory.

The Democratic State convention of 1857 met at Waco in the Baptist Church on May 14th. There were ninety-three counties represented and two hundred and fifty-four delegates present.

M. D. Ector was called to the chair.

Adolphus G. Weir was elected president of the convention, and M. D. Ector, S. Holland, Sam Bogart, and J. W. Dancy vice presidents.

A. B. Burleson and Thos. P. Ochiltree were appointed sergeants-at-arms, and R. T. Brownrigg, R. W. Raine, and H. P. Patrick secretaries.

At request of the convention, F. R. Lubbock assisted the secretaries, and W. F. Weeks acted as reporter. On request, Hon. Louis T. Wigfall, of Harrison, made a speech on "State Rights and the Strict Construction of the Constitution." It was quite able, and it was loudly applauded.

Nat Terry, of Tarrant, offered a resolution pledging the delegates to support the nominees with zeal. After various amendments to the same, and Chilton and myself had made warm speeches in its support, some conciliatory remarks were made by T. N. Waul and L. T. Wigfall, and Geo. W. Paschal offered this substitute: "Resolved, that this convention will support no person as a nominee for any office or place of trust unless fully satisfied by his acts and declarations, or the assurance of his friends to the convention, that he is fully united with the Democratic party upon all the issues now existing between them and their opponents, and that such nominee will abide the decision of this convention and support all the nominees with zeal and fervency." This was adopted without opposition on the approval of the platform committee. This was but a reiteration of my resolution of 1856.

The platform committee, consisting of Ashbel Smith, A. J.

Hamilton, J. B. Robertson, T. N. Waul, W. B. Ochiltree, L. T. Wigfall, J. A. Wharton, G. W. Chilton, Nat Terry, C. Upson, and B. Burleson, reported, favoring the adoption of the Cincinnati platform and the Kentucky and Virginia resolutions of 1798-99 on national issues, without defining a State policy at home.

An effort was made to offer a State platform with a banking clause to be submitted as a constitutional amendment to the people, but it was tabled.

There was some fun in nominating the Commissioner of the General Land Office. The convention was really anxious to nominate Capt. Stephen Crosby, the incumbent of the office, and without doubt one of the most popular officers and men in the State. He, however, had strayed off from the Democratic party and joined the Know-Nothings. The convention was well aware that if he was not their nominee he would run on the Houston ticket, adding to that ticket great strength. He was put in nomination by Dr. J. M. Steiner, a good and true Democrat. He too had been one of the estrays. Objection was made to the nomination unless some one was authorized by Captain Crosby to put him before the convention and pledge him to the action of the convention. Delegate after delegate addressed the chair, explaining how he was led into the Know-Nothing party. Finally, Dr. Steiner, having paid close attention to the various reasons assigned, addressed the chair: "Mr. Chairman, I was a Know-Nothing. I have examined the Constitution of the United States and the statutes at large of the United States; I have carefully read the Constitution of the State of Texas and the laws of Texas, and nowhere do I find that a man is punished for being a d—n fool." No one ventured further to assign reasons.

So Crosby was shelved by the operation of my rule, and he continued with the independents, as was expected.

There was no trouble in putting out a straight Democratic ticket.

H. R. Runnels, of Bowie, M. T. Johnson, of Tarrant, Geo. W. Smyth, of Jasper, and A. M. Lewis, of Washington, entered the lists for Governor. On the first ballot Mr. Runnels led with 64 votes out of 143 in all. The name of Mr. Smyth was withdrawn previous to the seventh ballot. After the seventh ballot

the names of Johnson and Lewis were withdrawn, and H. R. Runnels was unanimously declared the nominee of the convention for Governor.

For Lieutenant-Governor, F. R. Lubbock, of Harris, and F. M. White, of Jackson, were put in nomination. On the first ballot F. R. Lubbock received 88 votes and F. M. White 47; whereupon White's name was withdrawn and Lubbock was nominated by acclamation. The result did not surprise me, as I had good backing at home and abroad.²²

Francis M. White was nominated for Commissioner of the Land Office over Giraud, of Bexar, and Dr. Ross, of Rusk.

C. R. Johns received the nomination for Comptroller, and C. H. Randolph that for Treasurer.

Mr. Runnels was a man of fine abilities, though no orator, and was not without considerable political experience. Coming from Mississippi to the Republic in 1841, he engaged at once in cotton planting on Red River. Subsequently entering public life, he represented his county (Bowie) four terms in the Legislature, and became Speaker of the House in the Pease administration, fulfilling its duties quite creditably. He was of medium size, probably five feet eight inches in height, florid complexion, with light hair and gray eyes.

The only objection to Runnels was his apparent unfriendliness to railroads.²³

²² From minutes of the Harris County convention, February 21, 1857: "Resolved, that the suggestion of the name of our fellow-countryman, Francis R. Lubbock, for the office of Lieutenant-Governor, coming as it does from various parts of the State, is a well-merited compliment to an honest and able Democrat, who is and ever has been true and reliable, and that said suggestion meets our warm and cordial approbation, and should he receive the nomination it will be ratified at the polls by the cordial support of the Democrats of Harris."

The Harrison *Flag* having announced that the name of Hon. F. R. Lubbock would probably be presented to the Waco convention for the office of Lieutenant-Governor, closed a sketch of his life with this compliment: "Lubbock has been throughout a consistent, zealous, and unfaltering Democrat, a man of fine business qualities and intelligence, and universally popular with those who know him."—ED.

²³ To illustrate this opinion, the editor quotes this extract from the *Intelligencer* of May 13th: "Whatever may have been heretofore wanting in the zealous advocacy of the only feasible means of building rail-

The congressional convention for the Western district met at Waco immediately on the adjournment of the State convention. The Hon. Guy M. Bryan was nominated as the Democratic candidate for Congress over Ham. P. Bee, M. M. Potter, and A. P. Wiley.

Of the nominee, the *Intelligencer* (newspaper) editorially said: "Colonel Bryan . . . has grown up with the country's growth and strengthened with its strength. He has served his representative and senatorial districts in both branches of our State Legislature with honor. He has never been a violent partisan, but is a decided Democrat."

Colonel Bryan, the nephew of Stephen F. Austin and the worthy successor of ex-Governor Bell in Congress, was born in Missouri in 1821, came to Texas in 1831, graduated at Kenyon College, Ohio, the classmate of R. B. Hayes (afterward President of the United States), was a Pierce and King elector for the State at large in 1852 and delegate to the National Democratic convention at Cincinnati in 1856.

The convention for the Eastern district met at Tyler on May 13, 1857. General Taylor, of Cherokee, was the chairman, and Thos. P. Ochiltree, G. W. Chilton, and Judge Cantley, secretaries. Judge Jno. H. Reagan,²⁴ after a sharp contest, was nomi-

roads, by the chosen candidate for Governor is fully made up by the uniform and fervently zealous advocacy of these measures by the candidate for Lieutenant-Governor, F. R. Lubbock. This gentleman, from his local position, reflects the railroad spirit of the State. His earnest eloquence and great firmness will make him a successful advocate upon the stump. As president of the Senate he would have a casting vote, and like Dickson, he will use it on the side of progress. His more immediate connection with the Legislature will give him much influence. But why say more? His new relation satisfies everybody and makes his accomplished opponent, Frank White, the happiest fellow in the world."

²⁴ Judge Reagan was born in Tennessee in 1818; came to Texas in 1839; first engaged in surveying, then represented his district acceptably in the State Legislature, and afterwards became district judge. After two terms in the United States Congress, became Confederate Postmaster-General, then member of United States Congress, United States Senator, and finally chairman of the Texas Railroad Commission. Judge Reagan has, together with his national reputation, long enjoyed a pre-eminence among the statesmen of Texas.

nated, beating Malcolm D. Graham, — Lane, Pendleton Murrah, and Geo. W. Smyth. Before the balloting, the two-thirds rule was adopted, but after twenty or more ineffectual ballots, on motion of Judge Brooks, of San Augustine, the majority rule was restored, and the nomination was made on the next ballot. Judge Reagan, when notified of his nomination, was holding court at Kaufman, where he wrote his letter of acceptance to the committee, J. I. Burton, M. D. Ector, Wm. M. Taylor, and Jno. M. Crockett. Resigning his judicial office, Judge Reagan entered at once upon the canvass, beginning with a speech in his home county, at Palestine, early in June.

The Travis County Democratic convention met at Austin two days after the State convention to ratify the nominations of the Waco convention and to elect delegates to the judicial convention at Lockhart and delegates to the floatorial convention at Bastrop.

S. G. Sneed was the president, and John Marshall, A. G. Weir, and J. C. Tannehill vice-presidents, and P. DeCordova and William D. Patten secretaries.

Geo. W. Paschal moved that the convention ratify all the nominations and the platform adopted by the State convention at Waco, and that all those taking part in the convention pledge themselves to support the candidates with fervency and zeal; and the motion carried.

From the earnestness with which Mr. Paschal pushed my test resolution through various conventions, I had great confidence in his Democracy at the time.

“Old Sam in the Field!” Under this head, two days before the Waco convention, was announced in the *Huntsville Recorder* the independent candidacy of General Houston for Governor. The Know-Nothing party having been killed off the previous year, the general now claimed to be a Jackson Democrat and that he had always been one, as if it had been possible that a Jackson Democrat could advocate Know-Nothingism as he had but recently done. Houston had a wonderful knack at explanation, but it was hard to see how he could explain his late political change of front.

The convention at Waco had been most harmonious, and when separating, every delegate realized that there would be work to

do, as General Houston and his friends would make herculean efforts to beat the ticket nominated.

It was well understood that our nominee for Governor would not attempt a thorough canvass. He might visit some localities in a quiet way, but he would not make speeches. Although he had been Speaker of the House of Representatives and was then Lieutenant-Governor, and recognized as an able legislator and intelligent man, he was not a popular speaker.

My friends expected me to make a thorough canvass, and I promised to do the best I could for our ticket.

In a very few days after the adjournment of the convention my arrangements were made, and I resigned the office of district clerk of Harris County. My wife and I left our ranch, riding in a light Rockaway drawn by a pair of horses. A negro boy on horseback went along to care for our team.

My first speech was made at Lynchburg, in Harris County; second and third in Liberty County, low down on the Trinity River. We had no railroads or telegraph lines, so that the appointments had to be sent forward by mail. From day to day we jogged along, stopping at the county towns, generally about thirty miles apart, the roads at times being very rough and in wet weather very boggy, and in places at times almost impassable. The speaking in a general way was made immediately after a noon dinner. It then, in most instances, required us to leave the town and travel that afternoon from ten to twenty miles according to circumstances, so as to be on hand the next day in time to speak again at noon.

Nothing of much interest occurred until we reached Sumpter, Trinity County. It was then a small, unpretentious county seat. Riding up to the hotel we asked for a room, which was supplied. Upon inquiry of the landlord, he informed me that he had not learned that I was to speak there, and knew nothing of it. Without taking time to wash my hands or brush the dust from my clothing, I hastened down to the public square. I was a perfect stranger to the place and people. In passing along the main thoroughfare I noticed quite a number of persons in front of a building. I crossed over the street and walked up to the crowd. In a moment I took in the situation and felt satisfied there would be no offense taken, and so I remarked: "I am from a long and

dusty travel, am tired, and feel like taking a drink. Walk in, gentlemen, and join me." The entire party walked in. After refreshing ourselves, I said: "I have come to make a speech. I am F. R. Lubbock, the Democratic candidate for Lieutenant-Governor." They responded by saying, "We understand that, and have come in from the country to hear you." "Well," said I, "the landlord told me that he had heard nothing of it; that he did not know anything of any Democratic speaking to take place." "No," they said, "of course he knew nothing, for he is a mean old Know-Nothing, and would not have told you even had he known."

I excused myself and started for the hotel, flattering myself that I was to have it all my own way. Being somewhat of a novice in political speaking, I was not particularly desirous of encountering any of the big guns of the opposition. Before proceeding many yards, however, I met one of their best men, a particular friend of mine, Col. A. T. Branch, then the district attorney of that district, and subsequently a member of the Confederate Congress. He informed me that he was there by request to canvass a few counties with me in the interest of General Houston. We at once arranged for the speaking after dinner, he to make the opening speech, I to reply, he to rejoin, and I to close. He took the stand at the appointed time. He was a good, forcible, pleasant speaker, and quite well posted. It must be borne in mind that the people of Texas were then as now overwhelmingly Democratic, so that the opposition to the Democratic nominees would take the ground that they were as good Democrats as the regular convention Democrats; that, however, they were not *col-lar* Democrats, and so they claimed the right to be independent, to vote as they pleased, and that in supporting the independent ticket, with Sam Houston at its head, they were entitled to Democratic votes, and they should not be held responsible because the old Whigs, Know-Nothings, and others voted their ticket, looking to reforming and checking the abuses of the Democratic party. It was not surprising to me that my friend Branch, knowing that his audience was largely Democratic, should make an orthodox Democratic speech; hence I attempted to show in my reply that, while he laid down very good Democratic doctrine and gave very good advice to the Democracy, he was not the proper

party from whom we were to receive instruction, and I proceeded at once to attack his political record by charging that he was a Whig in Virginia; that upon his advent into Texas he subscribed funds for the purchase of powder to celebrate the victory of General Taylor, the Whig candidate for the presidency, over our Democratic candidate, General Cass; that he had voted against the Democratic party whenever an opportunity presented; and finally, that he had drifted into the Know-Nothing party, and hence could not be relied upon to teach what was for the good of the Democratic party. He was paralyzed by my reply, for he could see that those people rejected him as a teacher. After the speaking we talked over matters in a friendly way. Branch said I was unfair in treating of his former political record; that I should have relied upon political principles. I replied by saying: "Branch, you are a fine lawyer and an able debater. I deemed it entirely legitimate for me to break the force of your arguments by showing if I could that you were not a safe counsellor for the Democrats—that you were a Democrat to make capital for the Know-Nothings—and that was the most effective method for me to block your way."

We next went traveling in company to Crockett, Houston County, one of the counties in his judicial district. Very much the same program was carried out there, and the same line of speaking. After the speaking was over, Branch said to me: "I am tired of this canvassing; I am doing no good; my business is suffering, and so good-bye. I will go home."

I am reminded of an occurrence at Woodville, Tyler County, which was quite encouraging to me. During my speech a good-looking man walked up to the stand and said: "I want to tell you that I have been voting against the Democrats all my life. From this day on I am with you. Your speech has convinced me that I have been on the wrong side."

After visiting several counties, speaking daily, I reached Nacogdoches, the old home of Gen. Sam Houston, where he had many lifelong friends and earnest supporters. I dreaded the ordeal here. Some of my warm friends and supporters were also supporting General Houston, and while through the entire canvass I ever spoke respectfully and kindly of him, just as I felt, I was of course compelled to show why Democrats could not

consistently vote for him. Maj. E. W. Cave, then a very young man, an editor of a paper published at Nacogdoches, and afterwards Governor Houston's Secretary of State, replied to me, and for one so young in politics he proved himself a very able debater. I found him a foeman well worthy of my steel, and he kept me well exercised. He has since made quite a reputation, not only as an excellent business man but as a most accomplished speaker.

My next appointment was at Mount Enterprise, Rusk County. I was exceedingly anxious to reach this point in time. There was considerable opposition to our ticket, and a large Know-Nothing element at that box. The day before Mrs. Lubbock was taken quite ill. Dr. Starr, at whose home we dined, a very dear and good friend of ours, had given Mrs. L. medicine, and decided that she could not continue the travel that day. There was no alternative but to submit and fail to keep the Mount Enterprise appointment. There was no way to send notice, so that I retired at night bowing to the circumstances. About midnight my wife, after having a refreshing sleep, called to me, saying: "I feel very much better. I know how it will put you out to miss your appointment to-morrow; so we had better try to make it." I told her it would be impossible to fill it unless we started as soon as it was light; that it was thirty miles over a very rough, wooded road, and I feared she was not well enough to attempt the trip. She insisted that she was equal to it and that we must go. I immediately called our boy Washington, and told him to give the horses more feed and have them harnessed and ready, as we would leave as soon as we could see our way out of the town. We were up and left promptly. The road was sandy and full of shin-oak roots, and we had a rough ride. With all my pushing it was 4 o'clock p. m. when I arrived. Others had spoken, and some of those living at a distance were leaving the courthouse as I entered. I took the stand at once and made my speech, just saving my appointment, which enabled me to meet the next one, and so on. Mrs. Lubbock was not sick again, and I did not fail in an appointment from May until the end of the canvass, in August. I had in truth and in fact a helpmeet; God bless her!

It was in this canvass that I became quite intimate with the Hon. John H. Reagan and learned to admire his ability and to appreciate his sterling worth and integrity. He was canvassing

his district for Congress in company with his opponent, the Hon. Lemuel D. Evans, the then member. I joined them and canvassed many of the counties in their district. This was a great advantage to me, for they were experienced in canvassing and were men of ability. I learned much of Federal politics from them, as well as State issues. It also gave me an opportunity of meeting many more people—for great interest was taken in their canvass. Judge Evans represented the Know-Nothing party, claiming to be a Democrat, and was fighting against the Democratic ticket and supporting the Houston or independent ticket. Judge Reagan was running as a straight Democrat and supporting the nominees of the Waco convention; consequently I was of course opposing Judge Evans. He endeavored in all of his speeches to make it appear, and so charged, that Reagan and Runnels, the democratic candidate for Governor, and their party favored all extreme measures and were really in favor of opening up the African slave trade. He was so persistent in charging that we were in favor of disunion and the slave trade that it became quite an annoyance. It was known that Evans at the time favored a call for a Southern convention and was quite extreme in his views as to all Southern questions, and had written a letter in which he urged the calling of such a convention and solicited from the Legislature an appointment as a delegate. While we were at Marshall it was ascertained that Maj. J. M. Clough had such a letter, received by him while he was a member of the Legislature. A committee of gentlemen waited upon the major and explained the necessity of using that letter to show Judge Evans' former position and present inconsistency. The major said it was a personal letter, and he doubted the propriety of giving it publicity. Our friends contended that it was a great public concern; that he, Evans, was making war against our side and attempting to fasten upon us what he had himself urged, and we must break the force of his assertions or perhaps be misrepresented by him in Congress. The major yielded and placed the letter in the possession of Judge Reagan.

A few days subsequently Judge Evans, at Jefferson, went through his usual tirade, charging Reagan and the Democratic party with the hatching of the Southern convention and being the satellites of Wigfall and others favoring the slave trade and

cherishing a determination to dissolve the Union. Reagan, in replying, took the Clough letter from his pocket and read it. Evans sat absorbed, and for a long while did not notice that Reagan was reading his (Evans') production. When nearing the close, however, he seemed to realize that it was his convention letter, and upon Reagan's conclusion, when he asked the people, "Who do you suppose, fellow-citizens, wrote that letter?" and turning upon Evans said, "As Nathan said unto David, 'thou art the man,'"²⁵ Evans arose to his feet, pulled out his six-shooter, and denounced Clough for giving up a private letter and Reagan for using it. Reagan also had his six-shooter out and replied to Evans' remarks by saying: "Judge Evans, let's put up our six-shooters; I do not wish to kill you, and I do not intend to be killed. I want to go to Congress, and I am going there." You can imagine the excitement all this created in the audience, for it was large. Some one was struck on the outside of the crowd, and it seemed a general row would take place. I addressed the people, I supposed in a conservative manner, endeavoring to quell the tumult, and thought I was a genuine peacemaker; at any rate the multitude dispersed and there was no bloodshed.

Next morning the Know-Nothing paper came out, gave an account of the speaking, and stated: "We had intended commenting upon the speech of F. R. Lubbock, the Democratic candidate for Lieutenant-Governor; but he is a mountebank, and his con-

²⁵ This was Judge Reagan's version of this affair to the editor in 1898: "While I was speaking on the stand at Jefferson a young man handed me a letter, saying that it was sent by Mrs. Clough for my use. I took and saw it was the letter from Evans to Clouge. After reading it carefully, I waited till Evans finished his usual tirade against the secessionists and nullifiers; and, rising with the letter in my hand, I told the audience that for the sake of argument, I would admit that Henderson, Wigfall and Mills were secessionists, nullifiers, firebrands, etc., and that I wished to read them a letter on the subject of the Nashville Convention where these men had acted so badly. From the reading of the letter to the people, it appeared plainly that the writer expressed a wish to go to the Nashville Convention himself as a delegate, whether by appointment or otherwise, and that, too, in company with secessionists, disunionists, nullifiers, firebrands and agitators. 'Now who was the writer of this letter?' said I; and turning to Evans I pointed to him saying, 'As the prophet Nathan said to King David, 'Thou art the man.' " Whereupon Evans drew his pistol, etc.

duct was so outrageous that we will not give him further notice." This of course left me in a very unenviable light, conveying as it did the idea that I had acted while in Jefferson in some disreputable way; while I thought my behavior was most excellent, and had really been somewhat instrumental in keeping down serious trouble.

The editorial in question, however, proved entirely harmless, although productive of some amusement, for on our arrival at Gilmer, in Upshur County, they had read the charge to mean that I was a *montebank* dealer,—in other words, a gambler, as this Mexican game of cards meant. This gave me an opportunity to set myself right as a moral young man who never gambled at any game, and also to tell the story of my first and last game of poker for money, the day I landed in Texas.

The canvass now continued with less acrimony, for Judge Evans had to eliminate from his set speech the Southern convention and his charges against Reagan and his friends as extremists.

A laughable affair occurred in Collin County. We had made speeches at McKinney and left there for Plano, also in that county; Judge Evans tarried on the way, but said he would be with us at Plano to supper. Judge Reagan and myself arrived in good time; supper was served; Judge Evans did not put in an appearance; bedtime came, and still he was absent. We of course concluded he had stopped on the route with some friend. Next morning, while we were at breakfast, the judge appeared, a very fagged-looking man. His explanation was, that in crossing one of the deep dry creeks or ravines between McKinney and Plano, it being very dark, he followed the ravine instead of the road, became bewildered, and remained out all night. We joked him; said it was a bad omen; that he would be going up Salt River very soon. And such was the case; for he was beaten by Judge Reagan.

After leaving these gentlemen I continued my canvass, regretting, however, to part with them, for we had a good, jolly time, and Mrs. Lubbock enjoyed traveling in pleasant company. Many incidents happened of an amusing character, and a few hairbreadth escapes from upsetting of vehicles and other mishaps caused by rough roads, crossing streams, and stopping at rough places.

I visited during my canvass about one hundred counties, continued in the field until the day of the election in August, made a speech every day except Sunday, and never was sick a moment or missed an appointment. Judge Grimes, my opponent, did not canvass; he was on the Houston ticket. French Smith made a few speeches; he was independent of all, receiving but a few votes.

This canvass gave to me my very extensive acquaintance in the State, so that I found my second canvass light and pleasant as in contrast with the first, and further to recompense me for my unremitting toil, I received the largest vote polled, gaining the hearty indorsement of the party. In the midst of my labors in East Texas, I received from the chairman of the State Democratic committee the following letter, and, responding to his suggestions, I made an active campaign in the counties referred to.

[Private.]

"STATE CENTRAL COMMITTEE ROOM.

"AUSTIN, TEXAS, 17th July, '57.

"*Frank R. Lubbock*—DEAR SIR: It is urgently demanded that you visit Hill and such other counties in that vicinity as you can at the first practicable moment. Matters are in a distracted condition, and you alone can heal them. The demand for you is solicitously made, and I do hope that you will be able to comply with it.

"Be assured that your course in the east has been regarded with feelings of approval and delight by thousands in the west, and it is a proud achievement for you to say that. I have been applied to by Democrats from various counties above to request you to come and address them. The word is always, 'Send Lubbock by all means.'

"Do by all means leave Houston County and go up to Hill.

"Yours truly,

"JOHN MARSHALL."

The Waco ticket was elected by a large majority.

For Governor. Runnels received 32,552 votes, and Houston 23,628; for Lieutenant-Governor, Lubbock received 33,399 votes, and Jesse Grimes 20,318.

As to the canvass of 1857, Houston vs. Democracy, Runnels

afterwards said: "The news of the action at Waco had scarce transpired when the name of a citizen prominent on the rolls of his country's fame was announced in opposition, and a canvass actually begun, the most remarkable perhaps in the annals of political warfare. The celerity of the movement, the electric rapidity with which its intelligence was communicated, and the alacrity with which it was indorsed by the entire opposition, furnishes the most indubitable proof of the preconcerted design to distract and if possible to destroy the identity of the Democratic party. Happily, the effort failed."

CHAPTER THIRTEEN.

The 7th Legislature—Election of United States Senators—The Inauguration and Addresses of Runnels and Lubbock—The Message—Establishment of the University of Texas—Joint Resolutions—Frontier Protection—Debates and Debaters—Resolutions in Memoriam—Stockdale and Bob Taylor Incident—State Convention of 1858—Democratic Mourners' Bench and Repentant Sinners.

The Seventh Legislature convened at Austin, November 2, 1857.

The Senate was called to order at 10 a. m. on that day by H. R. Runnels, Lieutenant-Governor and ex officio president of the Senate.

The following new senators, presenting their credentials, were admitted to their seats: James W. Throckmorton, A. G. Walker, Malcolm D. Graham, R. H. Green, T. N. Waul, M. M. Potter, Geo. B. Erath, E. B. Scarborough, Forbes Britton, Isaiah Paschal, C. C. Herbert, and A. C. Hyde.

The hold-over senators were: James M. Burroughs, John Caldwell, Jesse Grimes, Elisha E. Lott, H. E. McCulloch, W. H. Martin, S. A. Maverick, S. A. Pirkey, Jonathan Russell, M. D. K. Taylor, Robert H. Taylor, W. M. Taylor, C. C. Shephard, and L. T. Wigfall.

Jas. F. Johnson was elected secretary; R. T. Brownrigg, assistant secretary; Thos. P. Sanford, assistant secretary; Stephen Cumming, engrossing clerk; J. Pat Henry, enrolling clerk; Wm. A. Pitts, sergeant-at-arms; L. M. Truitt, doorkeeper; A. M. Clare, assistant doorkeeper; Edward Fontaine, chaplain.

Organization was perfected in the House by the election of the following officers:

Gen. Wm. S. Taylor, speaker; H. H. Haynie, chief clerk; Thos. P. Ochiltree, assistant clerk; W. L. Chalmers, assistant clerk; Chas. Coney, engrossing clerk; Alf. Davis, enrolling clerk; B. F. Parks, sergeant-at-arms; R. R. Robertson, assistant sergeant-at-arms; Thos. Rogers, doorkeeper; T. P. Plasters, assistant doorkeeper; Robert Cotter, messenger; Judge W. F. Weeks, reporter.

One of the most notable incidents of the session was the elec-

tion of two United States senators, an unusual occurrence, caused by the death of Senator Rusk (before the end of his term) and the expiration of Houston's term. Rusk had killed himself the previous summer at Nacogdoches in a fit of despondency, caused, it was said, by domestic troubles.

Houston was a candidate for re-election, but had been fighting the Democratic party for several years, and was therefore thought not to be a suitable man to represent a Democratic State like Texas.

The Democratic caucus before going into this election numbered twenty-two senators and seventy-three representatives. The condition of admittance was the indorsement of the Cincinnati platform of 1856.

The election came off at a joint session of the Legislature in the hall of representatives on the 9th of November. J. Pinckney Henderson had a walkover as the successor of Rusk, his single opponent, G. W. Smyth, getting only three votes.

The struggle over Houston's seat was very serious, A. J. Hamilton, B. C. Franklin, M. M. Potter, E. M. Pease, W. S. Oldham, W. R. Scurry, Anson Jones, and John Hemphill being put forward by their friends as rival aspirants for the position.

The race was mainly between Scurry and Hemphill. After the twenty-second ballot Wigfall withdrew Scurry's name, and Hemphill received the caucus nomination. He was subsequently elected without opposition.

I was present as an onlooker when the elections occurred, and in noting the unanimous way in which Houston was shelved in this contest, a feeling of sadness came over me, from personal regard for the man. After this, it could not be said that any man's personality would count against principles with the Democracy in Texas.

The inauguration of Governor Runnels and Lieutenant-Governor Lubbock took place in the hall of the House of Representatives December 21, 1857. The hall was filled by 11 a. m., and the Speaker, Gen. William S. Taylor, in his seat, with the president pro tem. of the Senate, M. D. K. Taylor, at his right hand, and senators occupying seats provided for them. The Governor and Lieutenant-Governor were announced at the door. "The whole audience," says T. P. O., *Texas Republican* correspondent, "with

one accord arose on the entrance of the distinguished ex-Governor and the Governor-elect with their suites. First came ex-Governor Pease, with the Governor-elect, Hon. H. R. Runnels, on his right; then the Lieutenant-Governor-elect, Hon. F. R. Lubbock, with Chief Justice Hemphill and Judges Wheeler and Roberts, followed by the inaugural committee. Ex-Governor Pease and Governor Runnels were seated on the left of the Speaker, while the Lieutenant-Governor and president pro tem. of the Senate sat on his right, and the Chief Justice and two associates on the platform in front of the speaker's chair. . . . The ladies were to be seen in every direction. . . . Governor Pease made truly an admirable valedictory address, . . . and paid a well-merited compliment to the Governor-elect. . . . He was listened to with marked attention, and loudly cheered in conclusion."

The *Telegraph* had this to say of the addresses of Governor Runnels and myself: "Governor Runnels ascended the stand and made one of the finest addresses I have ever heard, the whole chaste, elegant, and refined. . . . On conclusion of the inaugural address there went up from that vast audience such a cheering as only a free people can appreciate. . . .

"Lieutenant-Governor Lubbock then, in a short but eloquent speech, followed Governor Runnels—his voice loud, clear, and distinct, his every feature apparently expressing his words and thought. He also was loudly cheered, and well Frank deserves it, for if ever a public servant deserved office from his fellow citizens, if ever, by a strict adherence to principle and honesty, any man deserved the high position assigned him, it is Frank Lubbock."

On assuming the chair as presiding officer of the Senate, I said: "Senators: I enter upon my duties as presiding officer of the Senate with the consciousness of a want of experience in legislative proceedings, yet determined to devote whatever of capacity I may possess to their faithful and impartial discharge. The want of parliamentary knowledge upon my part will be the more important from the fact that this honorable body has invariably been presided over by gentlemen of large experience and acknowledged ability. I am pleased to know that a majority of those over whom I am called to preside have served long and well

in public life and understand fully parliamentary law and the rules of this body. To those I will look for aid and support in the proper discharge of my official duties. If honorable senators will give that assistance, which I have every reason to believe they will, I trust we shall be able to perform our labors faithfully, pleasantly, and for the advancement of the public good."

In his inaugural address, the Governor had to notice the overshadowing question of the day, that of Northern supremacy and what it meant for Texas and the South generally.

It was clear that the North would soon dominate the Union, and it seemed equally clear that, from Northern hostility to slavery, we could have no peace in the Union.

As to the evil and the remedy, Governor Runnels, among other things, said: "Year by year the South is becoming weaker, the North growing stronger. That equilibrium has been destroyed which afforded the only sure and permanent guarantee of protection against abolition innovation. . . . Should this proposition be decided in the negative, I do not hesitate to believe that the determination of Texas will be taken to assume the guardianship of her own destinies and bid adieu to a connection no longer consistent with the rights, dignity, and honor of an equal and independent State. For, while disruption would be a great calamity, it is not (as Mr. Jefferson says) the greatest that could befall us; 'there remains one yet greater—submission to a government of unlimited powers.' Under these apprehensions, prudence would dictate that our house should be set in order and due preparations made for the crisis. . . . No reasonable efforts should be spared to secure that military organization and training indispensable to the liberties of every free State. . . . There is now left but one reasonable hope for preserving the Union and maintaining the rights of the States in it, and that is upon a rigid adherence to a strict construction of the Federal Constitution. . . . A liberal course of policy should be pursued to insure the organization of volunteer companies, in pressing forward to an early completion of the work of internal improvement indispensable to the wants of commerce and agriculture, and again, in disseminating information among the masses through the medium of our system of education."

In the course of his remarks Governor Runnels alluded to and

severely censured the course then being pursued by Robert J. Walker, Governor of Kansas, who, by betrayal of official trust and usurpation of authority, was seeking to make Kansas, *nolens volens*, a free State; that is, free for everybody but Southerners with their property.

In former years Walker had served as United States senator from Mississippi, and, as such, was the first to offer a motion for the recognition of Texas independence. He was appointed Governor of Kansas by President Buchanan. In the civil war he turned completely around in his politics and was so vituperative against the South that a post bellum Texas Legislature decreed that a county which had been first called in his honor should thenceforward be considered as named for Capt. Samuel Walker.

The inaugural ball given in honor of Governor Runnels occurred on the night of December 21, 1857, and was thus described by one who attended:

"The inauguration ball on the night of the 21st was a magnificent affair. It came off at the capitol, the spacious hall of the House of Representatives being used for the dancing saloon. The attendance was large. About two hundred ladies were present, dressed with great taste, and among them many that were beautiful. The room was brilliantly lighted with the elegant chandelier which adorns the house, the music was superb, and when the gay company was set in motion the effect was well calculated to drive dull care away."

In his message the Governor called attention to the fact that, notwithstanding State aid to railroad construction, the building of the roads had not made satisfactory progress, urged that all those chartered should be held to a strict accountability, and opposed the further indiscriminate granting of charters.

In accordance with executive recommendation, acts were passed by the Legislature to take the census of the State, to make a digest of the laws, to authorize a geological and agricultural survey of the State, and to establish the University of Texas. Senator Wigfall cleared up the difficulty as to whether the framers of the original law on education meant one or two universities, and showed conclusively they meant a university for each sex, if necessary, and not two universities if both sexes were educated together. This appeared in the able and eloquent re-

port he made to the Senate as the committee chairman. The House report for one university was presented by P. W. Kittrell, its leading advocate there. George W. Chilton contended for two universities, while A. B. Norton did not want any, but preferred the common schools. The chief opposition was in the House. But the bill finally passed providing for one university and a board of ten administrators for its control. When its location was determined by law, the construction of buildings was to begin. Besides setting apart the fifty leagues of land granted to the university in the original educational act of 1839, the Legislature voted \$100,000 for the establishment of the university, and set apart for it every tenth section of all the land granted to the railroads. But the next Legislature, needing money to redeem the pledges made by Houston in the canvass of 1859 for better frontier protection, appropriated all the university endowment for that purpose, to be repaid when convenient, without interest. Nor was this all. The same Legislature the next year in special session appropriated, to pay their own per diem, the university cash in the treasury.

In a series of joint resolutions the Legislature asked the United States government, through our senators and representatives in Congress, to give us a regiment of mounted men as an additional guard to the frontier, and to reimburse Texas for what she had spent in her own defense; and authorized the Governor to call into the State service 100 men for six months, or as long as the safety of the frontier might require; and in the event of the failure of the Federal government to give us adequate protection, to call out any number of men necessary to protect the settlers from Indian depredations.

In another joint resolution Congress was asked to establish the "Overland Mail" route to California through Texas. Our senators and congressmen were also urged to press the impeachment of Federal Judge John C. Watrous, to ask for a military post on upper Red River to overawe the Indians in that quarter, and for the removal of the Indians west of the Pecos to the reservation prepared for them in the Indian Territory.

In answer to the special message on affairs in Kansas, the Legislature, in recognition of the fact that the rights of slaveholders were not respected in that territory, authorized, by joint resolu-

tion, the Governor to order an election for seven delegates to represent Texas in a convention of the slaveholding States, should one be called to consider the question of the equality of such States in the Union. And, in anticipation of early trouble, it was also enacted that all uniformed military companies in the State should be placed in condition for active service.

There were many interesting debates on various subjects, notably the State University, the Alamo monument, and the Mexican "cart war;" but what interested me most was the debate on frontier protection, in which I took an humble part. This was the only occasion in which I left the chair for a tilt on the floor. And I had the good fortune to see enacted what appeared to be a good law for the protection of the frontier. The prominent speakers were Louis T. Wigfall, Henry E. McCulloch, C. B. Shepard, J. W. Throckmorton, M. D. K. Taylor, Malcolm D. Graham, R. H. Guinn, M. M. Potter, Geo. B. Erath, Sam A. Maverick, Robert H. Taylor, Jonathan Russell, and Isaiah Paschal.

Among the notable debaters in the House were Geo. W. Chilton, A. B. Norton, and Messrs. Price, Crawford, Kittrell, Hart, Waelder, and Jennings.

Cortina gave us some trouble on the Rio Grande, but the main difficulty was with the Indians on the Brazos reservation. Frequent outrages were reported, and excitement rose to a fever heat among the whites on that frontier. The Governor finally succeeded in inducing the Federal authorities to remove the Indians out of the State, and pending their removal sent military companies under Capt. John Henry Brown to prevent further depredations. But it was too late; Runnels had lost the confidence of the settlers.

Resolutions of sorrow on the deaths of Gen. Jas. Hamilton; H. G. Runnels, senator from Harris; ex-President Anson Jones, and Rev. Daniel Baker (founder of Austin College at Huntsville), were adopted by this Legislature.

General Hamilton was drowned at sea on his way to Texas. Ex-President Jones perished by his own hand, shooting himself at the Capitol Hotel in Houston, the act being the culmination of a long period of physical suffering and mental despondency.

The resolutions on the death of General Hamilton were offered

by Senator Wigfall and supported by a speech of wonderful eloquence. He said in part: "His death is a calamity not only to the nation and his own State, but also to the State of Texas. He was the bold and powerful advocate of Texas in her dark and bloody struggle with Mexico. When the heroic spirits of '36 were treated with opprobrium and as having forfeited all claims to the fraternal regard of the people of the United States, he then, in his place in the Senate of South Carolina, with thoughts that breathed and words that burned with living fire, repelled the imputations on the purity and honor of our motives, and, in the light of such eloquence and truth, gave such elevation to our controversy as to challenge the admiration of the world, and to change indifference into friendship and enthusiasm."

Mr. Kittrell, on offering resolutions of respect to the memory of Rev. Daniel Baker, said among other things: "His death, sir, was a beautiful commentary on his life. When his physician's skill failed and the solemn truth burst upon him that in a few minutes he must die, he calmly and peacefully folded his arms on his breast, and said, 'Lord Jesus, into Thy hands I commend my spirit.' Thus, sir, the spirit of this great and good man, on the very incense of hope, faith, and prayer, was borne to the bosom of his Heavenly Father. Sir, let gentlemen vaunt their cobweb system of infidelity, . . . but give me that pure system of Christianity which will enable me, when the last moments come, to calmly and quietly consign my spirit to Him who gave it as did our friend."

While Lieutenant-Governor many questions of great importance were before the Senate. I, however, having no vote unless in case of a tie, took but little part in their determination. Furthermore, I did not care to become partisan, as I might be called on at any time to give a casting vote, and the body was almost entirely Democratic.

The all-absorbing question, the Kansas and Nebraska bill in the United States Congress, was quite an exciting issue at that time with us. I recall rather an amusing incident in the State Senate. A discussion was going on touching this question, and the debate became very warm, F. S. Stockdale, representing the Southern view, and the irrepressible Bob Taylor, known as "Comanche Bob," from Fannin County, upholding the squat-

ter side. Taylor concluded he would perpetrate a joke on Senator Stockdale. He offered an amendment. Stockdale was engaged and was paying no attention to Taylor's amendment. Taylor called for a vote. Stockdale got up hurriedly and objected most vociferously to the amendment, whereupon Taylor asked that the amendment be read again; that the senator was not aware of what his amendment was; that he knew him to be a good Democrat, and he had just copied his amendment from the Democratic platform adopted at Cincinnati. Stockdale could only reply that it was safe to object to anything coming from the senator from Fannin.

The question of frontier protection was always prominent. While this subject was before the committee of the whole, I ventured, as I had a right to do under the Constitution, to ventilate my views, supporting the proposition for an adequate appropriation regardless of what the United States government might do in the premises, and insisting that, it having failed to give adequate protection, it was the duty of the State to take the matter in charge for the proper defense of our people and soil.

I felt assured, and I was proud of the fact that when the Legislature adjourned they went home satisfied with my course and determined to support me for another term.

In the meantime General Houston and his friends had not been idle. They had been all the while endeavoring to belittle the administration of Governor Runnels. They made war especially on his frontier policy and his want of information in dealing with our Indian troubles. General Houston determined that no effort should be left untried to capture the government at the next election, and that he would be an independent Democratic candidate, thus gathering many old-time Democrats into his fold and every element opposed to the Democratic party. He builded well, as the sequel will show.

The Democratic State convention at Austin, January 8, 1858, was called to order by John Marshall, chairman of the State central committee, in the hall of representatives. M. D. K. Taylor, of Cass, was chosen president, and C. B. Shepard, M. P. Norton, W. S. Oldham, M. T. Johnson, and John Marshall, vice-presidents.

The secretaries were: P. De Cordova, W. L. Chalmers, E. F.

Calhoun, H. H. Haynie, John T. Harcourt, of Fayette, J. H. Torbitt, of Johnson, and Levi Pennington, of Williamson.

These were nominated: For Chief Justice, R. T. Wheeler, of Galveston, by acclamation; Associate Justices, Constantine W. Buckley, of Fort Bend, over P. W. Gray, T. J. Jennings, T. N. Waul, Geo. Moore, and J. W. Henderson; Attorney-General, Malcolm D. Graham, of Rusk, over James Willie, G. W. Chilton, S. H. Morgan, R. S. Gould, and — Turner; Comptroller, C. R. Johns, of Travis, over Shaw and Johnson; Treasurer, C. H. Randolph, of Houston, over James H. Raymond and E. B. Scarborough.

All the nominees were elected except Judge Buckley. Judge James H. Bell, who then claimed to be a Democrat, came out as a candidate against Buckley and attacked his record with such success as to defeat him at the polls. A good illustration this that a Democratic nomination does not in every instance elect a man to office. Bell was said to have been the first child born in Austin's colony.

In line with old-time Democratic principles the convention "Resolved, That we recognize the right of the people of all the territories, including Kansas and Nebraska, acting through the fairly expressed will of the majority of actual residents, and whenever the number of their inhabitants justifies it, to form a Constitution with or without domestic slavery, and to be admitted into the Union upon terms of perfect equality with the other States."

The State Democratic committee were: J. W. Dancy, A. M. Lewis, S. S. Smith, P. Murrah, O. C. Hartley, S. H. Morgan, A. J. Hood, H. B. Nichols, A. C. Hyde, B. McCluskey, D. M. Prendergast, Somers Kinney, Wm. Smith, Nat Terry, R. T. Posey, C. Upson, Wm. H. Hardeman, J. W. Throckmorton, E. M. Pease, and D. C. Dickson.

The Cincinnati National Democratic platform and State platform of Waco were reaffirmed as to the principles embodied in them, and especially the doctrine of non-intervention in the territories.

As this principle was now threatened in the North, this body recommended a convention of Southern States, to which delegates from Texas should go, appointed by the Governor on the authority of the Legislature.

Gen. T. J. Chambers offered a resolution to withdraw from the Union in case of hostile congressional action on slavery in Kansas, but it was tabled.

It was desirable to get back into the Democratic ranks the men who had wandered off among the Know-Nothings, and on motion of our distinguished Mexican statesman, J. A. Navarro, who had not a little sly humor in his make-up, the convention resolved, "that the doors of the great temple of Democracy be now thrown open, and that all repentant sinners be invited to come back, confessing their sins, and be readmitted into the fold of the faithful." This was at a special night session, and a great commotion ensued when it was announced that the doors of the great Democratic church were now open to honest backsliders.

Loud was the cry from all parts of the house and boisterous the shouts of the jubilants as the special friends of the mourners set out in search of them. In a few minutes the stamping and clapping became almost deafening, certainly indescribable, when the first mourner was led up to the stand by Senator Wigfall and Gen. Andrew J. Hamilton. In obedience to cries of "Down in front!" the crowd gave way sufficiently to enable us to see the meek and contrite spirit thus led up like a lamb to the slaughter. The light of the chandeliers could not sufficiently give the locus in quo of the soft and musical voice that in response to shouts for "McLeod! McLeod!" addressed our "fellow Democrats." As voices were heard to utter responsive sentiments, shouts and cheers went up, calls on members to be seated went round, and the wall echoed back the call for the mourner to get upon the clerk's desk—to climb higher, so that the ladies could see him. Always responsive to woman's call, like the gallant soldier and chivalrous gentleman that he was, General McLeod mounted higher and gracefully turned round to address the president, who had become suddenly transmogrified from Dr. Taylor to J. M. Clough, and as the convert recognized in the temporal head of the church an old friend and companion, amid the heartiest applause, he unbuttoned his coat, and gracefully patting that

"Little round belly
That shook when he laughed like a bowl full of jelly,"

thus began his remarks:

"Fellow Democrats: I do not like the way that resolution of yours reads. [Laughter, and a voice, 'That's right!'] No, gentlemen, I object to that as not being fair. That the doors should be thrown open is all right [laughter]; but I object to that part that calls all of us who want to come in 'repentant sinners' [cheers], and requires us to confess our sins [a voice, 'Good,' and loud laughter] before we can be admitted into the fold. [Loud stamping, and the general's eyes twinkled like little stars. He looked so chuck full of good humor that one would have thought he was entirely at home, not one of the faithless in the house of the faithful.] Fellow Democrats, there are many honest-minded independent gentlemen who want to be with you, but will not bow the knee and come in under the resolution. [Loud cheering, and a voice, 'Oh, yes; they will,' and 'They can't help it.'] As for myself, I don't take back anything that I have done, and I don't intend to. [Cheers.] I am not a repentant sinner; your principles are mine, and I never had any other. ['Hear, hear,' and clapping throughout the house.] The North is now arrayed against the South. The President of the United States needs help now, and every Southern gentleman should be invited in. Come up to the help of the Lord against the mighty. I have read a section of the Waco platform, and if that means Democracy, then I have always been a Democrat. [A voice, 'But a d—d long time finding it out, and I have not discovered it yet.']

"Gentlemen of the Democratic convention who will swear by the Waco platform,—every one who will be true to the South,—come in; then your convention can rely upon a united Texas and a united South."

In great good humor with himself and with the appearance of a heart at ease with all the world, the general descended the steps amidst a shower of applause.

Mr. Wilcox then came forward. He announced in substance that the majority had decided against him, and that appeared his main reason for coming over. He had always been a Democrat (but *such* a Democrat). He, too, had never done anything wrong, and had done nothing to apologize for. As a justification of his conduct he plied the convention with his Know-Nothing arguments and with a defense of General Houston.

Col. Robert H. Taylor, of Fannin, made the most sensible and

consistent confession. He had not come back to the Democratic party, he said, for he had never till recently belonged to it. On the contrary, he had fought it from his youth up. He remained with the Whig party as long as it had an existence, and when it died he joined the Know-Nothings, not that he had any particular love for "Sam," but he had thought it the best trick to beat the Democrats. (He that hath ears to hear, let him hear.) He had been a latitudinarian, but he was now assured that the safety of the South and the perpetuity of the Union required a strict construction of the Constitution and a rigid adherence to the doctrines embraced in the celebrated Virginia and Kentucky resolutions. [Cheers.] The Democratic party had adopted these resolutions as their platform, and so long as it maintained that attitude, he would stand by it. [Prolonged cheers.] There were but two parties in the country—the Democrats and Black Republicans. The Democratic party was the only organization that had any claims to nationality. If the Union was to be saved, it must be through that party. The American or Know-Nothing party was powerless for good. Its only tendency was to prevent union in the South. It was, therefore, a factious, disorganizing, and mischievous party, and he besought all those who loved their country to do as he had done, and to lay down their prejudices upon its sacred altar.

Bob Taylor was loudly cheered for this confession; but his Democracy soon withered away.

The above facts are given as reported in the public prints of the day.

CHAPTER FOURTEEN.

The Ranch Again—My Preparations for Raising Asiatic Poultry—The Various Breeds Kept Separate—Some Pleasure, but No Profit to Me in the Business—Government Importation of Camels in 1856-57—A Private Cargo at Galveston—A Year's Experience with this Lot of Camels on My Ranch—Items of Camel Life—Mrs. Looscan's Recollections of the Camels.

In the early fifties a craze swept over Texas and the Union generally for Asiatic poultry. Having determined to introduce and raise some of the choice breeds of fowls from Asia, I made elaborate preparations for their care and propagation by having erected on my ranch a commodious chicken house 50x18 feet, three stories high, and conveniently subdivided for the different breeds. It was placed near the center of an acre lot, set out with fig and plum trees, and inclosed with a high fence of cypress pickets. Painted white and surmounted by a cupola, this building presented a creditable appearance to passers by, and suggested anew to their minds that a live Yankee must be the owner of the premises. When the preparations were completed, I set out to New Orleans with a drove of beef cattle, intending, after disposing of them, to inquire into the foreign chicken market. My cattle sold, I found a French importer of Asiatic fowls and soon made a deal with him for a pair of Brahmas at \$40 a pair, of Dominicks at \$30, and a pair of Shanghais at \$20. I got them on my ranch near Houston in due time and without injury, and they were then installed in their respective apartments in their big new house. The Brahmas being the heaviest, occupied the first story, the Dominicks the second, and the comparatively light Shanghais the third story. Each breed went out of its apartment in the house by a separate passway to a separate division of the yard. Thus the different stocks, never mingling, were kept pure. With all this care the chickens were very prolific, and our stock at one time run up to fifteen hundred. Grain in their house and plums and figs outside gave them the proper nourishment, and they had an excellent flavor when properly cooked, especially the younger ones. Our common chickens were all disposed of pretty soon after the arrival of the Asiatics, who in

a year or two supplied our table abundantly with eggs and young fowls. Our success in chicken raising, for Mrs. Lubbock took a lively interest in the business, made me a sort of authority on the subject. Many came in person to see how we had succeeded in a business in which the majority had failed, and others made inquiries by mail.

The subjoined is an extract from a letter on the subject I wrote to my friend, Mr. Jacob De Cordova.²⁶

"Chickens of all descriptions do well in Texas, and so do all other kinds of poultry. Although the introduction of the Asiatic breeds of fowls in this country has been considered one of the humbugs of the day, I feel that it has been highly advantageous. My experience teaches me that the larger description of fowls is more easily raised than the common barnyard kind. It requires as good judgment in the selection of fowls as that of any other stock. I, however, prefer the Dominicks, Shanghais, and Brahma-Pootras, as they appear to be the most hardy, and prolific layers and excellent mothers. Care should be taken in selecting fowls of good form, and by all means with short legs and broad backs. Many complain that the large fowls are always lame. This is attributable in a great measure to want of care in

²⁶ The editor calls attention to Jacob DeCordova's estimate of Lieutenant-Governor Lubbock in his "Texas:"

"Frank Lubbock has made himself. He never attended school after the age of thirteen, and of course has not a finished education; but he has studied men and things in practical life, and has an almost intuitive perception of their merits. He observes closely and investigates patiently, and his opinions, once formed, are openly and freely avowed. His politics has always been Democratic. . . . Of Frank Lubbock's qualities as a private individual—of his domestic attachments and social relations, of his noble disposition, and generosity of character—it is needless for us to speak. All who know him appreciate him from the Red River to the Gulf. He is emphatically a Texan, an old Texan (though yet in the vigor of manhood), and has devoted himself from early youth to the interests of Texas, first as a feeble colony, striving to be free, then as a Republic among the nations, and since as a State of the Federal Union. There is no man more thoroughly identified with the whole of Texas, from its infancy to the present time, than Frank Lubbock. And we venture to assert that no man has ever been more unanimously called by the people of Texas to a high official position than Mr. Lubbock was at the last August election. To see the man is to respect him; and to know him well is to love him."

providing them with proper perches, which ought in no instance to be at a greater height than eighteen inches from the ground. By attention to this point, you will seldom find your fowls lame."

Of course, I regarded my chickens as the genuine Democratic stock, as I fancied that the roosters always crowed more lustily after the Democrats had carried an election.

I went into the Asiatic chicken business for a speculation, and the reader may be curious to know the result. Well, it was this exactly: I never sold an egg or a chicken during the whole time I was engaged in the business, but we had a good time in living on them. Neighbors and friends from a distance would come to see us and get, free of cost, a setting of eggs, and others would carry off a pair of chickens at the same price. I was in politics, had to be liberal, and suppose I got good pay in the long run. My motto now is, "If you are in politics, don't try to raise fine chickens for profit; if you are already in the business, keep out of politics."

When my duties as Lieutenant-Governor did not call me to the capital, I stuck very closely to my ranch.

At this period I had a strange experience in the stock business with a lot of camels intrusted to my care.

Old Texans recollect that under the auspices of the Hon. Jefferson Davis, then Secretary of War under President Pierce, a cargo of thirty or thirty-five camels were landed at Indianola in the spring of 1856. After a short rest in that vicinity, they were driven up to San Antonio, and a few weeks later the herd of camels went into permanent quarters at Camp Verde, sixty miles southwest of that city. They were in charge of Major Wayne, who tested with satisfactory results their capacity as swift burden bearers. The next spring forty more, landed at Indianola, joined the herd at Camp Verde.

In the fall of 1858 a couple of ships, presumably British, anchored at Galveston under suspicious circumstances. They were first thought to be slavers watching for an opportunity of secretly landing their human freight. But the ships turned out to be laden only with camels: at least no evidence appeared that they had any African negroes aboard to sell as slaves. Happening to be in Galveston at the time, I went to see the camels (about forty in number), after they had been landed and penned.

Mrs. Watson, an English lady, owner of the herd, was hunting some reliable person to whom she might intrust its care till finally disposed of by sale or otherwise. I was introduced as a proper person to the lady, and her agent, Senor Michado. A few preliminaries once settled as to the extent of my obligations for their safety, I contracted with Senor Michado on satisfactory terms to assume the custody and maintenance of the camels when delivered at my ranch. Accordingly a steamboat was chartered, on which Michado brought the animals to



My Arabs going to Houston.

the mouth of Sims' Bayou for delivery. The landing took place in the presence of a crowd of spectators, among whom were Sam Allen, Jules Baron (my brother-in-law), and myself. On finding themselves once more on solid ground, they showed their high spirits by jumping, rearing, and frisking about like sheep. Observing these capers, Baron remarked that he did not believe that anyone could lasso a camel. Allen quickly affirmed the contrary, and finally bet Baron \$10 that he could rope one himself. Allen mounted his horse, lasso in hand, and, with a sharp swing, on the first trial threw it over the head of a large camel and brought him to the ground after a short struggle. Baron, lately in from Louisiana, had not learned that Texans generally accomplish what they undertake. Michado, with his

outlandish servants, Turks or Arabs of unpronounceable names, conducted the camels to my ranch, a few miles distant. Here they were easily corraled in the pasture prepared for them.

The camels once in my care, Michado returned to Galveston, leaving the herd with the foreigners, whom I will call "Arabs." The pasture had in it seventy-five acres or more, nearly all prairie with a small skirt of timber near the bayou, and inclosed by a new high staked and ridged fence. In addition to the grazing in the inclosure, there was given them every day large quantities of cured hay, which they devoured at will. Every two or three days, when it was warm, they were taken out of the pasture to water at a selected place on the bayou, to avoid bogging. In winter the intervals of watering ran up to four or five days. This was managed with so much care that only one or two camels bogged at the watering place. These had to be drawn out of the bayou by a yoke of strong oxen; for after several ineffectual efforts to extricate themselves and getting down deeper in the mire, they sank down quietly, with only a few mournful plaints of distress, apparently resigned to their fate. And it was not without some nursing and attention that they fully recovered from their sad experience on being hauled out. While not being perhaps so much of a water animal as the horse, the camel can certainly swim, as was demonstrated by some of this herd in Buffalo Bayou. I remember of having lost but one from the effects of bogging.

The word camel is here used as generic, without reference to its number of humps. The two-humped variety is said to have originated in Bactria, and is accordingly called the Bactrian camel: while the one-humped species, coming as it is said originally from Arabia, is for that reason called Arabian. The dromedary, as the original term implies, is simply a "racer." It is always of the one-humped or Arabian variety, as the Bactrian is too heavy and clumsy for a "courser of the desert." The Bactrian is the most powerful and the better adapted to heavy burden-bearing. They were extensively used for transportation purposes by the allied armies in the Crimean war.

The habitat of the camel is commonly supposed to be tropical, but camel land extends as far north in Asia as the fifty-second degree of latitude. Their favorite range is in the north temper-

ate zone, as they suffer more from heat than cold, contrary to the usual opinion on the subject. We had only about six or seven Bactrians in our herd of Arabians.

This herd did not seem to suffer from the cold in the winter of 1858-9, though they had no protection but a skirt of timber on the north. The ration for each camel was eight or ten pounds of hay each day in winter, when there was practically no grazing in their inclosure. While specially fond of small grain, such as wheat, barley, and oats, the camel when hungry will browse upon almost any kind of shrub with apparent relish. As to their powers of endurance and traveling ability I had no ocular demonstration, but have been told, by those who knew, that they, on a pinch, can travel a week without food or water, carrying 300 or 400 pounds each, averaging twenty-five or thirty miles a day, and that the dromedaries, or "the coursers of the desert," can travel fifty miles a day with a burden of 150 pounds. While the general disposition of the camel is docile and meek, the males at a particular season of the year are very pugnacious, and sometimes fight each other to the death. The camels in my charge appeared healthy and free from all disease, unless something on the skin like the itch might be so considered. During their year's stay at my ranch, besides the one lost in the bog, only two died, and that from causes unknown.

The camels were naturally a great curiosity for Texans, and our neighbors, and people from a distance, flocked in to see the strange sight. The camels were quite obedient to their Arab keepers, kneeling and rising at word of command. In going to Houston, six miles distant, the Arabs would ride a camel each, and their entry and exit would always create a sensation among the people in town seeing them for the first time.

This letter, from the widow of the late Maj. M. Looscan to my editor, explains itself:

"HOUSTON, January 29, 1899.

"*Judge C. W. Raines, Austin, Texas:*

"DEAR SIR—I am in receipt of your letter of recent date, requesting that I write out my recollections of the camels once pastured near Governor Lubbock's ranch on Sims' Bayou.

"I think it was in the summer of 1859 that about forty camels

in charge of four or five Arabs were pastured on the south side of the stream mentioned, at the distance of about a mile from the residence. In company with Ella Hutchins (now Mrs. Seabrook Sydnor, of this city), John Bringhurst and Charley Gentry, all of Houston, I drove over from Harrisburg to see the camels. We were disappointed, however, in our wish to have a ride on one of them, as the only gentle one was missing from the herd. After a good deal of time spent, he was finally discovered mired up to his breast in the mud of the bayou. All efforts to extricate him having proved fruitless, the ride was given up; the next day a yoke of oxen succeeded in pulling him out, but the strain was so great the camel did not long survive.

"Subsequently, when the camels were brought to Harrisburg, one of them was equipped with the peculiar pack-saddle commonly used on these animals. It was covered with rugs or carpets, and the shelf-like saddle on one side was occupied by a gentleman friend and myself, while the other side was balanced by another gentleman. We rode for about three-quarters of a mile, the camel being led by an Arab who trotted on ahead, continually encouraging the camel by ejaculations to which he seemed to respond. The long strides made a swinging, rough motion by no means easy, but rapid, and when the ride had come to an end, in obedience to command, the animal sank suddenly upon his knees; a headlong plunge for the riders would have resulted but for the rapidity with which the whole came to a level on the ground.

. . . I am, respectfully,

"ADELE B. LOOSCAN."

CHAPTER FIFTEEN.

State Convention at Houston in 1859—The Platform—Its Expansion Plank—Tabling of African Slave-Trade Resolutions—The Nominees—Congressional Conventions and Candidates—Runnels and Lubbock vs. Houston and Clark—Campaign Incidents—Election of United States Senator—Houston Governor—Financial Stress—Frontier Troubles—State Convention at Galveston—Resolutions—The Delegates to Charleston.

The Democratic State convention of 1859 met in Houston on the 1st day of May, and was called to order by John Marshall, chairman of the State Central Committee.

A. J. Hood, of Cherokee, was elected president over J. W. Dancy, of Fayette, by a vote of 196 to 135. L. M. Still, Ed. Waller, Isaac Parker, and A. C. Hyde were elected vice-presidents, and P. DeCordova, E. E. Ewing, D. M. Short, and J. H. Torbett secretaries.

G. W. Chilton, of Smith, moved that all proxies be admitted to seats in the convention.

The motion was voted down.

Several substitutes and amendments being offered, a lengthy discussion ensued, and resulted in the adoption of resolutions providing that all regularly appointed proxies be admitted as delegates (adopted, on call of counties, by a vote of 163 to 152); that no proxy should be considered as regularly appointed where there was a delegate from the same county in the convention (carried *viva voce*): fixing the basis of representation at one vote for every 100 Democratic votes cast in a county at the last preceding election for Attorney-General, Comptroller, and State Treasurer, taking the average vote for the above State officers as the standard; and providing for a committee on credentials to consist of one delegate from each county. Seventy-three counties were represented. The total number of delegates and proxies amounted to 335.

On motion of Mr. Chilton, of Smith, the chair appointed a committee on platform, consisting of one from each judicial district, as follows: First, C. C. Herbert; Second, Geo. W. White;

Third, J. D. Giddings; Fourth, R. L. Graves; Fifth, D. M. Short; Sixth, John McClarty; Seventh, E. A. Palmer; Eighth, C. N. Stanley; Ninth, G. W. Chilton, chairman; Tenth, F. S. Stockdale; Eleventh, A. C. Hill; Twelfth, T. P. Aycock; Thirteenth, ———; Fourteenth, ———; Fifteenth, E. T. Branch; Sixteenth, James H. Torbett; Seventeenth, J. L. Milam; Eighteenth, J. W. Speight.

The platform, as submitted by this committee and adopted by the convention, indorsed the Cincinnati platform; expressed unshaken faith in the principles enunciated in the Virginia and Kentucky resolutions of 1798-99; readopted the Waco platform; declared the Dred Scott decision to be a true exposition of the Constitution; asserted that territorial legislatures had no right to exclude slavery from a territory; and expressed opposition to the admission of States not having sufficient population for the election of one representative. The sixth plank illustrates Democratic ideas on expansion at that period, and is given in full: "Sixth—That the Democracy of Texas are in favor of the acquisition of Cuba, and that we regard its consummation as a measure which self-protection imperatively demands, should be procured at the earliest possible time compatible with national honor."

Speaking in support of this declaration, Hon. Matt Ward, one of our United States senators, said: "The acquisition of Cuba is a necessity. We must have it, and we will have it. Spain has not been insulted by the proposition to buy, and she is not going to be insulted."

H. R. Runnels was put in nomination for Governor by W. S. Day, of Austin. The first ballot gave Runnels 294 votes and Gregg 73. Runnels' nomination was then made unanimous.

Judge C. W. Buckley having nominated F. R. Lubbock for Lieutenant-Governor, on motion the nomination was made by the convention by acclamation.

Called on for a speech, I made a short address, thanking the convention for their indorsement, and promising, as I had always been a Democrat, to continue working in the same good cause.²⁷

²⁷ "Lieutenant-Governor Lubbock being called for, took the stand and made one of his thrilling and effective speeches. He was gratified to be indorsed by the Democracy of the Empire State. He would serve his

Chilton's resolution regarding the African slave trade and Palmer's substitute were both tabled after a full and fair discussion—the former by a vote of 228 to 81, and the latter by a unanimous vote.

The Congressional convention for the Western district met at Houston on the adjournment of the State convention.

Gen. T. N. Waul, of Gonzales, having led John A. Wharton, W. S. Oldham, and Abel Cunningham for several ballots, his nomination was made unanimous by acclamation. A. J. Hamilton was his opponent on the Independent ticket. Hamilton had been a prominent Democrat up to this time. He was a man of ability and a powerful debater, and his defection at this juncture proved a great gain to the Independents. Still the Democracy had no fears for Waul, who had ever proved an able champion for the party.

The convention for the Eastern district met at Henderson, May 2d, and a small bolt occurred on a preliminary question. This, however, had no material effect, as the main body of the convention stood firm and renominated Judge John H. Reagan, whose course in Congress had been entirely acceptable to his district and State.

In a circular address to his constituents, the judge denounced the heresies of filibusterism and the reopening of the African slave trade, and claimed to be a National Democrat, devoted to the Constitution and the Union, desiring no new tests of Democratic faith.

In reply to an open letter from Montgomery, dated August 22, 1859, and signed by John M. Ward, Thomas Goree, and three others, Judge Reagan said, through the medium of a similar letter, published in the public prints: "It is proper for me to add that I make a distinction between old-fashioned Democracy and such Democracy as requires an adjective to describe its kind. And hence I have no sympathy with the free-soil Democracy of the North or the Southern-rights Democracy of the South. They rest on different philosophies from it, and

party with all his might. He was proud of being one of the standard bearers. He had always been a Democrat and should always be, and what power he had should be devoted to the good cause of Democracy." —*Telegraph*.

are as different from it as any other political creeds are different from each other (the one resting on national patriotism, and the others on sectional bigotry, malice, and demagoguery), and I would not, under existing circumstances, act with either of these sectional parties or vote for any man belonging to them. . . . I am opposed to the reopening of the African slave trade, to filibustering, to disunion per se, and the formation of a Southern Confederacy, on one hand. I am, on the other, opposed to the idea of a slavish devotion to the Union under a violated Constitution."

Judge Reagan was opposed by W. B. Ochiltree, an able lawyer and debater. A late convert from Whiggism and Know-Nothingism to Democracy, he had now abjured the faith and gone back to his first love, whatever that was. But he was not an opponent to be despised, as the canvass soon developed his capacity.

The Independents charged on the Democracy the design of reopening the African slave trade. The approximate unanimity with which the convention tabled a resolution barely squinting in that direction should have convinced all honest minds to the contrary. Affecting, however, to believe the charge to be true, the opposition newspapers kept up the accusation, as it was a winning card, the popular disapproval of such an abomination being well known.

A few weeks after the convention, Mr. Flake, editor of the *Galveston Union*, in a letter to me on that subject, propounded a series of questions, to which I replied, June 25th, as follows:

"In answer to your first and second interrogatories, 'first, Are you in favor of or against the reopening of the African slave trade?' and 'second, Do you believe the law which declares the African slave trade piracy, constitutional?' I beg leave to state that, in accepting the nomination of the Houston convention, I determined to confine myself to the platform of principles enunciated by said convention. I approve of the action of said convention in refusing to discuss or make the reopening of the African slave trade an issue, and shall not discuss the constitutionality or policy of said measure.

"In answer to your third interrogatory, 'Do you believe that causes now exist which make a dissolution of the Union desirable?' I say 'No.' In answer to your fourth interrogatory, 'Do

you believe that our courts ought strictly to enforce the slave trade piracy law? I say that every law, until repealed or declared unconstitutional, should be enforced by the courts of the country."

On the heels of my published letter to Flake came Governor Runnels' expression on the subject to John Marshall, chairman of the State Executive Committee, as follows:

"I cheerfully reply to your note of to-day (June 27th) that I fully indorse the sentiments of the Hon. F. R. Lubbock in his letter to F. Flake, Esq.

"I am now, as I have ever been, for the Union under the Constitution and the strict maintenance of the supremacy of the laws; and I do not consider that there is any cause for a dissolution of the Union at this time."

Even these disclaimers did not stop the racket, which kept increasing during the canvass.

There had been a strong feeling for a new State ticket. Many of the best informed men on public sentiment declared that Runnels could not beat Houston in the coming race. In fact, no man with a record could resist Houston's assaults; and, unfortunately, Runnels' frontier record had, through slander and misrepresentations, already been condemned in the West. For this race a new man was needed who had the vim to attack Houston's shaky political record and put him on the defensive. The African slave trade accusation, though entirely false, we would have had to carry anyway in dealing with such unscrupulous political adversaries. Runnels, as before, did but little canvassing. He had many strong friends and supporters, but he was no match for Houston in the art of capturing the masses. Besides, Houston created great sympathy by his well-timed allusions to San Jacinto, and he had many able and popular friends canvassing for him. So the political campaign of 1859 opened with the chances evidently against the Democracy. I determined to make the best fight possible.

Promptly appeared this card on time in all the anti-Democratic newspapers:

"Announce Sam Houston as a National Democrat, a consistent supporter of James Buchanan in his struggle with Black

Republicans and the little less dangerous Fanatics and Higher-Law men at the South, as candidate for Governor."

This was a catchy card, well calculated to draw off the unwary and Democrats with short memories. "Old Sam" was now out-Heroding Herod in his devotion to Democracy. But the conversion of the great Know-Nothing leader was too recent to avail him much on that line.

In his letter of June 3d to Geo. W. Paschal, who had lately quit the Democratic party, Houston said:

"The Constitution and the Union embrace the principles by which I will be governed if elected. They comprehend all the old Jackson National Democracy I ever professed or officially practiced."

The design of reopening the African slave trade was persistently charged upon the Democracy by Houston during the whole canvass, and that without any evidence. This was the independent's keynote, supplemented by a cry for better frontier protection.

Col. Edward Clark, of Marshall, was my opponent on the Houston ticket. We made an extensive canvass together, and I went over a great deal of country without him. I took in many counties on this canvass that I neglected in my first, particularly in the west and southwest.

I commenced as low down as Montgomery, next went to Harris, visited nearly every county in East Texas, and traversed the country between the Brazos and Trinity rivers, speaking at all the principal points as far north as Dallas, then going on to Weatherford, in Parker County. At that time this was on the frontier, subject to frequent Indian raids.

Knowing that Governor Runnels was not popular on the frontier, I determined to give the border counties my particular attention. On arriving at Weatherford, I was informed that the prejudice was so great against him that no one would be allowed to speak in his advocacy. I, however, had many warm friends there, some of them prominent business men. At the appointed time I repaired to the courthouse, and without ceremony commenced my speech, to a good audience, by stating that I had come there to advocate the personal claims of no man, but to speak for the Democratic ticket; that I knew I would be heard;

that the people of the frontier were well aware that I had ever been their friend, and had advocated on all occasions their adequate protection. I was listened to in the most respectful and attentive manner and was assured of their support.

Leaving Weatherford I went toward the Colorado. After traveling a distance of more than one hundred miles along the frontier, making addresses at the intermediate points, I arrived at Burnet. After speaking there I desired to go to Llano, Gillespie, and other exposed counties. It will be borne in mind that my wife was also with me on this extensive and hard trip. I was cautioned and told that it was not safe to proceed; that the Indians were making frequent raids into that country. Upon my persisting in going, three young men offered to go with us: Adam R. Johnson, now of Burnet; Colonel Bradford, of Belton, and Neil Helm, who I believe is dead. They accompanied me, and while we encountered no Indians, there were, they said, plenty of fresh signs—among others we discovered a beef with an arrow recently shot into him. I am pleased to know that the friendships formed with those three young men were true, and I have had from that day, even to the present time, no warmer friends than the two survivors.

I had rather a queer but interesting time at Llano, then just being built up. On my reaching there, I went into the lone store house and inquired if they could direct me to the hotel, informing them who I was and my object in visiting them. A gentleman in the store observed that there was no place to stop; that he had a very humble home, and would be pleased to accommodate us. I of course thanked him, and we drove across the river and were given a small shedroom, built of three-foot boards, used as a storeroom. I had lived in just such a house when I located in Houston. We were made entirely comfortable and welcome, passing a pleasant night. Next morning quite a number of people came in to hear the speaking, for it had been well advertised, and I was to be met by a young lawyer, Mr. Posey, who practiced law in that district. He was a warm friend of General Houston, and supporting the opposition ticket. Before the speaking, and while in conversation with quite a number of persons, all of whom were strangers to me, a large fine-looking fellow inquired if I was kin to the Lubbocks at Houston. Not

knowing the object of the question I parried a little and let him go on. He stated that, on landing at Houston from Tennessee with his family, he got into a difficulty with a bully on the wharf about his effects, and, to use his expression, "we hitched." I knew the man well that he "hitched" with, had soldiered with him, and he was known as "Bully Smith." He went on to say that "the crowd was with the bully as long as he appeared to have the best of the fight. As soon, however, as I commenced putting in good licks they were for interfering. But a young fellow then appeared, demanded 'hands off,' and said: 'I have been looking on, and now this stranger shall have a fair fight, or I propose to take a hand.' I soon conquered the bully. About this time the police had arrived, and we were marched up to the station. The justice of the peace said it was too late to go into an investigation, and required bail for my appearance next morning. The young fellow stepped up and stood my security that I would appear. Then, for the first time, I found that his name was Lubbock. When the case was called in the morning, Lubbock was there, and his testimony cleared me, without expense, and I departed from the city of Houston. So, you know, I like the name." I then said to him: "That Lubbock is my brother, next to me." He then remarked: "My name is McCoy. I am the sheriff of Llano County, and you can bet I am for Lubbock."

Posey opened the debate. I well recollect how he began. After paying a compliment to the people of the frontier, he told them: "I am to be followed by a man who, when he begins, you will see possesses an affidavit countenance, and I caution you not to believe everything he tells you, for he is a politician and a candidate for office." It was the first time I ever heard of an affidavit countenance, and I was pleased to understand that it meant the earnest, honest countenance of a man who believes he is telling the truth.

We had a pleasant and agreeable time, and I have never regretted visiting that beautiful country, then wild and wholly undeveloped, but now soon, I trust, to become a locality of great attraction and importance, caused by the great wealth of her iron ores, her granite and marble quarries, and her delightful and healthy location and climate.

From Llano I visited my German friends of Fredericksburg,

Gillespie County, and then New Braunfels. At these points I was a very welcome visitor. Many of the citizens knew of my active canvass against the Know-Nothings, and they appeared to appreciate the stand I had taken against that secret society. I then proceeded to San Antonio. At this place we had a battle royal—Clark and myself and the opposing candidates for Congress, Gen. T. N. Waul and A. J. Hamilton—"Colossal Jack," as he was called, in compliment to his big brain.

After leaving San Antonio we visited Seguin. Here we had a big time; the people came from several counties to hear the speaking. I was particularly happy at this place. It was well known to all Texas that I had fought the Know-Nothings and that Clark had belonged to the order. Thus the Germans were in sympathy with me and they invariably showed it at our speaking. Clark realized it at this place, and I was guilty of treating him inconsiderately. While speaking, he would look at his watch frequently, appearing anxious for his time to expire. While he was examining his watch I drew out mine and said: "Colonel, you have twenty minutes yet to speak; do not hurry. If that is not sufficient, you can go on; it will make no difference to me." It created quite a laugh and disconcerted him, and he sat down in less than five minutes. It was mean of me, for Clark was a very polite and elegant opponent. From this place we went to Austin and thence down the Colorado.

While I was on this canvass, the *Palestine Advocate* got off this yarn on me: "There is a good joke told on Frank Lubbock, our worthy Lieutenant-Governor. He has lately purchased two fine but fancy horses of the calico stripe, and as he came up from Houston he was taken for a bill sticker for a circus, and all the little boys were asking him when the circus would be along, and whether his circus had any animals. He gave them the necessary information, and report says, promised them all free tickets."

I did drive a pair of spanking spotted horses on this canvass, and who could blame the little fellows for taking me for the advance agent of a circus?

An amusing circumstance occurred at Cameron, in Milam County, during our canvass. Colonel Clark invariably charged that I was an extremist, and he ventured at this place to go so far

as to say that it was reported that I favored the reopening of the African slave trade, and that it had been whispered that I had at one time imported negroes. In replying, I said that I was surprised that my distinguished opponent would venture on such an assertion without being able to present some proof; that I would assure the gentleman and the people that I was not in favor of reopening the African slave trade; that it was a slander upon me; that, however, I would plead guilty to the charge of having imported negroes; that I did so through a Yankee, and obtained them from Boston, Massachusetts, and I would make a clean breast and tell them all about it now.

"I have a ranch near Houston on the public road greatly traveled. My negro force is small; friends ride up; I wish to be polite and hospitable, and frequently I have to call a servant from important work, and quite often one was not to be had. So I conceived the idea of having one negro that I could rely on, and disclosing my plan to a friend of mine, he begged that I would get one for him, and I ordered two cast-iron negroes, so that he and I would have a boy at the gate at all times, day and night, to receive our visitors and take care of their horses.

"Fellow citizens, I assure you that these are the only two negroes I have imported," and turning to the colonel, I said: "You have been badly sold by some one: I don't think you will bother me any more with this charge." The effect of this could only be appreciated by those who witnessed it. The audience laughed and yelled and screamed, and Colonel Clark thenceforth dropped the African negro from his program.

In this second canvass for Lieutenant-Governor, at Lockhart, in Caldwell County, Col. Wash Jones, then a candidate for the State Senate, was also booked for a speech on the same day. Col. Jack Wilcox, one of the best speakers in the State, was there to represent General Houston. We had a large gathering of the country people. Colonel Wilcox made one of his very forcible speeches in support of General Houston, and had to a great extent the sympathies of the audience, particularly the ladies, who were out in large numbers.

In speaking of Sam Houston's great services to the people he was very eloquent at times, and after saying many beautiful things, he concluded by telling the audience that, in after years,

when the history of Texas is written and the school books published for the children, the name of Sam Houston will appear in every page of history and all through the school books for the edification and instruction of the children. "But, ladies and gentlemen," said he, "do you suppose that the name of little 'Dickey' Runnels will ever appear on the pages of these books, or that little 'Dickey' will ever be heard of?" Of course the supporters of Houston had a good laugh at this witicism at the expense of little 'Dickey' and his friends.

Col. Wash. Jones followed in one of his masterly efforts in support of himself for the State Senate, and also advocating the entire Democratic ticket. On that day he well sustained his reputation as one of the ablest debaters and best informed men in the State. He admitted that Sam Houston was a great man and a patriot, and deserved well of the people; but he went on to say and prove that he had separated himself from the Democratic party, and consequently could not be supported by Democrats. He admitted that the name of Sam Houston would be conspicuous on the pages of history, and doubtless the school books would have his name emblazoned in large print for the benefit of school children, and they would be taught to love and revere his memory. "But," Colonel Jones continued, "I wish to say to Colonel Wilcox and you ladies and gentlemen, that history and school books are presumed to be truthful, and when Colonel Wilcox says that little 'Dickey' Runnels' name will not appear he is simply slandering the historical writers and the authors of the school books, for when they come to tell the truthful story they will have to write down that Hardin Richard Runnels was an able legislator, that he was Speaker of the House of Representatives and Lieutenant-Governor of the State of Texas, and that he was the same little 'Dickey' Runnels that beat the great and illustrious Sam Houston for Governor of the State of Texas over nine thousand votes.

"Now, ladies, and gentlemen, will not the school children rise in their seats and proclaim what a mighty man this little 'Dickey' must have been to have beaten Sam Houston for Governor nine thousand votes."

At the same speaking I had waited a long while for my time to come. Colonel Wilcox, who made a very impassioned speech,

at times would quit the stand, walk down the aisle of the building, counseling every one to support Houston, and would call upon the ladies as they do at a camp meeting. (He had been a preacher.)

On reaching the platform and before commencing my speech, I poured from the pitcher that Colonel Wilcox had been using what I supposed to be water, that I might moisten my lips. Upon taking a mouthful I at once discovered that it was the strongest white whisky. I stepped quickly to the edge of the platform upon which I was standing, and spitting the stuff upon the floor, apologized to the audience by saying: "I can not swallow that kind of firewater, and I can now understand why my friend Colonel Wilcox has been so enthused, even, to making him descend from the platform during his speech to get nearer the audience with his eloquence."

But in spite of all our efforts the Democratic ticket was beaten from top to bottom, Houston getting 36,327 votes for Governor, and Runnels 27,900; Clark 31,458 for Lieutenant-Governor, and Lubbock 30,325.

It was an ably planned campaign by the enemy and well carried out; but from start to finish the Democracy was on the defensive about the frontier and the African slave trade.

While I was beaten in this race it was certainly quite flattering to me that the frontier country generally supported me and that I ran several thousand votes ahead of my ticket, and was only defeated by a few hundred votes by my opponent. I had a good time, enjoyed the canvass, made thousands of friends, and the men who supported me then have brought up sons and grandsons that have to this day been my friends and supporters. I had been steadily in the canvass from May until August, and after the excitement was over my wife and myself, pretty well tired out, sought rest at Kellums Springs, in Grimes County, near Navasota.

The Eighth Legislature met at Austin on November 7, 1859.

I presided in the organization of the Senate. There was a tie vote between two of my friends for secretary—Sinclair, of Austin, and Tom Johnson, who lived elsewhere. I decided the contest by voting for Tom Johnson, on the ground that all the offices, or an undue share of them, should not be given to residents of

the capital city. As both were good men and good Democrats, I could see no other way of deciding the matter. Tom highly enjoyed my decision, as it saved him by the skin of his teeth.

In his message, Governor Runnels regretted the unsatisfactory condition of the frontier, and explained what he had done to remedy the troubles at the Brazos agency, in which several reserve Indians were killed on the night of the 27th of December, 1858.

"After being informed by Captain Ross of further hostile demonstrations," said the Governor, "I issued an address warning the people in the neighborhood against any rash act on their part.

"As a means for restoring quiet and quelling the existing excitement, I appointed a board of peace commissioners, consisting of J. M. Steiner of Travis, Colonel John Henry Brown of Bell, Hon. George B. Erath, Capt. J. M. Smith, and Richard Coke, Esq., of McLennan, with instructions, bearing date of June 6, 1859, to proceed to the scene of disturbance and to investigate its causes, with authority, if expedient, to place a guard of one hundred men around the reserve until such time as the Indians should be removed without the limits of the State.

"Their report discloses facts which go far to prove that our citizens were not without just cause of complaint, as much as the violent measures of redress adopted by them may be regretted.

"The State government is in no manner responsible for the unfortunate and deplorable state of affairs on the frontier. The remedy has not been within the reach of its authorities. I found it a difficulty, and perhaps the most serious with which I should have to contend, on coming into office. It has proved to be so, and if it has been impossible for most obvious reasons to give satisfaction, it has been for no want of the most faithful endeavor to meet the difficulty. . . . I am content to leave the further solution and management of this question to the Legislature and the able gentleman who has been chosen to succeed me."

It only remains to add that Governor Runnels finally secured the removal of the reserve Indians to the Indian Territory by Maj. Geo. H. Thomas, then commanding at Belknap. But even

that did not give entire satisfaction, and Major Neighbors, the Indian agent who had attended the Indians out of Texas, was foully murdered on his return home.

No one thinks of blaming Governor Runnels now for his failure to keep the peace on the frontier, no more than they think of blaming Governor Houston for his failure to meet the expectations. Runnels was simply the victim of misrepresentation. As D. B. Culberson in his bout with Mabry in the House expressed it, "You have impaled upon a halberd of slander the best Governor this State ever had."

Thos. P. Ochiltree, correspondent of the *Texas Republican*, wrote from Austin, November 13:

"Gen. Sam Houston is in the city, stopping at Scott's Hotel. He was serenaded by a party of his friends yesterday evening. He responded in a short speech, after which Col. Ed. Clark and Hon. Eli Baxter addressed the meeting.

"Gen. A. J. Hamilton, member of Congress-elect from this district, starts to the Federal capital on the 18th inst. General Hamilton is a man of marked ability, but his views on Federal politics are not suited to a representative of a Southern State. He indorses Douglas throughout in his magazine article.

"The message of his excellency Governor Runnels meets with universal satisfaction among the Democracy. His views upon State policy (except as to the S. P. R. R.) meets with hearty approbation and support.

"Dr. M. D. K. Taylor, the Speaker-elect, is one of the finest presiding officers I have seen, and universally popular.

"I regret to say that Mr. Culberson (D. B.), from Upshur, intends introducing a bill to abrogate or repeal the charter of the Southern Pacific Railroad Company.

"For the United States Senate, Colonels Wigfall, Ward, and Johnson are the most prominent candidates. The names of Hons. L. D. Evans, M. J. Hall, Geo. W. Smyth, D. M. Graham, and a few others are spoken of by their respective friends. Quien sabe?"

A new United States Senator was to be elected to fill the unexpired term of J. P. Henderson, deceased, as Matt Ward had been appointed to act only till the meeting of this Legislature.

The opposition, dreading the election of L. T. Wigfall, the

only man who ever proved a match for Houston in debate, tried to break a quorum and thus stave off his election, but in vain, and then after balloting began interposed all manner of dilatory motions.

At the appointed time for a joint session, on the 5th of December, I appeared in the House at the head of the Senate and took my seat by invitation on the right of the Speaker, while the Senators were seated in the places prepared for them. A quorum appeared on roll call, and nominations were made as follows:

Louis T. Wigfall, of Harrison, by Senator Britten; Geo. W. Smyth, of Jasper, by Senator Grimes; Matt Ward, of Cass, by Senator Mabry; W. P. Hill, of Harrison, by Senator Martin; A. H. Latimer, of Red River, by Senator Taylor (Bob).

The balloting resulted as follows:

	First.	Second.	Third.
Wigfall	59	59	60
Smyth	25	23	13
Ward	7	5	1
Hill	6	6	4
Latimer	15	20	26
Graham	2	1	1
Roberts	6	5	12
Sparks	1	0	0
Jarvis	0	1	0
Morgan	0	0	1

Mr. Wigfall having received a majority of all the the votes cast, was declared elected United States Senator from Texas to fill the vacancy occasioned by the death of J. P. Henderson.

The announcement of the result caused the wildest enthusiasm among the Democrats and corresponding rage among the adherents of Houston. The election of Wigfall, Houston's ablest rival, to this office, showed clearly the ruling power in Texas.

Immediately after his election Senator Wigfall addressed the Legislature in substance as follows: He was a Southern rights man, a State's rights man, and a Democrat. The Democratic party stood by the Constitution. It fixed itself upon it in the discussion of every question. Slave property was entitled to pro-

tection in the territories, because all property under the Constitution of the Union was entitled to protection. And he would say that if it was ascertained that a people of a territory would not protect property, he would deprive them of the power of self-government. He endorsed the Democratic platform of Cincinnati; he stood on the platform as endorsed at Waco and at Houston, and any man standing on that platform and co-operating in the organization of the Democratic party, he recognized as a Democrat—none other. No man could be a Democrat who did not hold to the doctrine of the strict construction and the doctrines embodied in the Virginia and Kentucky resolutions. He did not believe in the divine right of kings; nor did he believe in “the divine right of a Union without a Constitution.”

Mr. Wigfall was undoubtedly the clearest expounder of the political doctrines of Mr. Calhoun in Texas.

No man could have been more obnoxious than Wigfall to Houston personally or to his party. They finally tried to set aside his election on constitutional grounds, holding that the Legislature could not elect one of their body to the United States Senate. The question raised was referred to a committee. The majority report, after a long constitutional argument in favor of a State senator's eligibility to the United States Senate, and citation of authorities, concludes thus: “The Constitution of the State did not intend to embrace the office of United States Senator in the section under consideration. . . . In this view of the subject, the majority of your committee is fully confirmed by the action of the distinguished statesman, Rusk, in the United States Senate upon the contested seat of Mr. Trumbull, of Illinois, who when elected to the United States Senate was a State senator. The Constitution of Illinois contained a similar provision to the one under consideration, and yet the most distinguished jurists in the American Senate held the provision inapplicable to the office of United States Senator.”

On that occasion, both Rusk and Houston voted for the admission of Mr. Trumbull to the United States Senate, and he was seated.

Besides all this, I should have stated that Wigfall resigned his seat in the State Senate before the balloting began for United States Senator.

The Runnels administration closed with the valedictories of the Governor and myself.²⁸

On December 21, 1859, Sam Houston delivered his inaugural address from the front portico of the capitol to an immense concourse of people.

His utterances on our relations to the Union were what might have been expected, opposed to secession in any event. Tolerance of difference of political opinion he thought a duty; but when thought becomes treason, the traitor is as much the enemy of one section as the other. Extremists North and South were rebuked alike by the Governor saying on that point: "Half the care—half the thought—which has been spent in meeting sectionalism by sectionalism, and bitterness by bitterness, and abolitionism by disunion, would have made this people a happy, united and hopeful nation."

Houston's frontier policy was to temper military force with moral suasion—to overawe the Indians by a display of soldiers and at the same time to gain their good will by presents. The Texas Indians had been drawing their annuities by way of Arkansas, and had thereby been led to believe that they were not obliged to keep the peace in Texas. The Indians should get their annuities in Texas; they should be collected together in a great council and renew their treaties with the Texans. And it would be advisable to distribute presents among them.

This was Houston's Indian policy during the Republic, and it was bitterly disappointing to the frontiersmen, who expected, from the promises made in the canvass for governor, a vigorous Indian policy. But judging from Houston's antecedents, they had no right to expect any but a temporizing policy against the Indians.

The Rio Grande frontier was also being raided, and the Federal government was called upon for protection, and aid was promptly given by Major Heintzleman. But Col. Ford had al-

²⁸ The *Texas Republican*, in editorially commenting on Governor Lubbock's valedictory utterances, said:

"Mr. Lubbock is concise, graceful, modest and dignified. He recommends efficient frontier protection, favors our present system of internal improvements, and looks for the happiest results by continuing our liberal railroad policy."—ED.

ready driven Cortina across the Rio Grande. Commissions were issued to raise companies for the northwestern frontier, where the great trouble had been, and then a frontier regiment was authorized. A new militia law was enacted to meet the emergencies.

Indian hostilities, however, did not abate, but rather grew worse. Then Houston, like Runnels, had to stand his share of abuse.

The resolutions of Dr. R. G. Worrall of Jacksboro, adopted by the Democratic State convention at Galveston, in April, 1860, well express the public sentiment on frontier protection. They are given below:

"Resolved, 1. That the Democratic party of Texas, looking to the actual Indian war on our frontier, to the ruthless murder of men, women, and children and the enormous destruction and robbing of property, stands pledged to sustain the most efficient and active warfare against the savage enemy; that they approve of the appropriation of over four hundred thousand dollars by the late Legislature for frontier protection, and demand of the Governor of the State that it shall be expended in an active, efficient, and offensive war with the Indians, and not frittered away in temporizing expedients or in buying treaties by means of presents, annuities, or any other mode of consummating a treaty with treacherous savages."

The other resolutions were in substance as follows:

2. All Indians in Texas are hostile, and should be exterminated or expelled from the State.

3. It is the duty of the Federal government to do this, but the State must do it if not done otherwise.

4. The frontier must not be contracted.

The Democratic State convention at Galveston met in the courthouse at 11:30 a. m., April 2, 1860. Major Marshall, chairman of the State Central Committee, called the house to order. Mr. Thomas P. Ochiltree acted as secretary. After prayer by Rev. D. McNair, Major Marshall addressed the convention, taking a brief view of the present extraordinary political condition of the country, and expressing his opinion that there never was a time when the preservation of the Union and the protection of the rights and liberties of the South depended so much on the

Democratic party as at the present alarming crisis. His address was received with great applause.

A committee on credentials was then appointed consisting of twenty members, one from each judicial district. At 4 p. m. the committee reported seventy-six counties represented by delegates on the floor.

The committee appointed to report upon the charges made against W. W. Leland, delegate from Karnes County, reported that Mr. Leland admitted having voted for John C. Fremont, and having been a Black Republican about a year before coming to Texas, but that since having arrived in Texas he had become a Democrat. It was then moved by Mr. Schoolfield of Walker, that said W. W. Leland should be expelled from the convention. The motion was put and carried unanimously. Colonel Lewis of Washington then moved that the resolution should be reconsidered, as he believed it due to the convention not to condemn a man without a hearing. Considerable discussion was had upon this motion. General Waul finally arose and referred to the action taken by the Democratic convention in Austin in 1856 on the application of Mr. L. Sherwood of Galveston for a seat in that convention, which application was rejected. A motion was then made that Mr. Sherwood should be heard in his own defense, and this motion was also rejected. Colonel Lewis then withdrew his motion for reconsideration.

J. D. Stell, F. B. Sexton, and John W. Dancy were put in nomination for president of the convention. The vote taken by counties resulted thus: Stell, 38; Sexton, 94; Dancy, 91. Stell's name was then withdrawn.

The vote was again taken, and it was found that Sexton had received 122 and Dancy 119. The chair then announced that Sexton was duly elected.

Colonel Sexton was then conducted to the chair, and made a most appropriate and eloquent address. The following were elected vice-presidents: Messrs. Gaines, Bryan, Brownrigg, Pitts, Woodward, and Branch.

Thos. P. Ochiltree was elected secretary of the convention by acclamation. Davis and Hepperla were elected assistant secretaries.

The committee on credentials then made a report that they

had found two sets of credentials from two separate meetings in Jasper County. The one meeting was called as a Democratic meeting, and passed resolutions reaffirming the Cincinnati platform and the several Democratic platforms of this State, and also repudiating the doctrine of Squatter Sovereignty as advocated by Stephen A. Douglas. The other was called as a citizens' meeting, and it took no action recognizing or endorsing the principles of the Democratic party. The committee therefore recommended admitting to a seat in the convention the delegate sent by the first or Democratic meeting, and rejected the application of the delegate from the other meeting. The report was adopted.

It was carried, on my motion, that the rules of the House of Representatives of this State be adopted as the rules to govern the convention, as far as applicable.

General Waul then offered a resolution that a committee on platform and resolutions should be formed by selecting one delegate from each judicial district, said committee to elect their own chairman. Adopted.

On motion of Mr. Bee, that a sergeant-at-arms should be appointed, the chairman appointed John S. Jones.

The committee on platform were the following: First district, J. T. Harcourt, of Colorado; Second, J. H. Duggan, of Guadalupe; Third, A. S. Broadus, of Burleson; Fourth, C. Ganahl, of Kerr; Fifth, W. A. Leonard, of Jasper; Sixth, B. F. Williams, of Upshur; Seventh, R. M. Powell, of Montgomery; Eighth, L. C. Delisle, of Fannin; Ninth, F. F. Foscoe, of Cherokee; Tenth, F. S. Stockdale, of Calhoun; Eleventh, J. F. Crosby, of El Paso; Twelfth, J. W. Durant, of Leon; Thirteenth, W. W. Dunlap, of Goliad; Fourteenth, E. S. Pitts, of Tyler; Fifteenth, R. Word, of Tarrant; Sixteenth, M. V. B. Sparks, of Lampasas; Seventeenth, W. H. Parsons, of McLennan; Eighteenth, J. R. Worrall, of Jack.

A resolution offered by Mr. Durant was adopted, namely, that eight delegates should be elected to the Charleston convention, four from the Eastern and four from the Western Congressional district, and that a like number of alternates should also be elected from each district. M. D. Graham was selected by acclamation for elector for the State at large for the Eastern Congressional district. General Waul was selected on the first ballot

as the elector for the State at large for the Western district over Col. A. M. Lewis. R. S. Rainey was selected as elector for the Eastern Congressional district, and Mr. Wharton was selected for the Western district.

Eight delegates were elected to the Charleston convention, to wit: H. R. Runnels, R. B. Hubbard, F. F. Foscue, and Gen. E. Greer from the Eastern district, and Francis R. Lubbock, J. F. Crosby, Guy M. Bryan, and F. S. Stockdale were elected from the Western district. The eight alternates were chosen as follows: For the Eastern district, General Chambers, Thos. P. Ochiltree, W. H. Tucker, and M. H. Covey; and for the Western district, Fred Tate, W. H. Parsons, R. Ward, and R. M. Stell.

George M. Flournoy was then nominated for Attorney-General, C. R. Johns for Comptroller, and C. H. Randolph for Treasurer.

Maj. John Marshall offered a resolution tendering the thanks of the convention to the several railroad companies who had so liberally given them a free passage over their roads. Adopted unanimously.

Mr. Worrall, of Jack County, offered resolutions on frontier protection, which on motion were referred to a special committee composed of members from all parts of the State. Much discussion was had upon these resolutions and several eloquent speeches were made. Among the distinguished speakers were Hon. Guy M. Bryan, Dr. Worrall, and Col. A. M. Lewis. Mr. Bryan's speech was specially able, and there were many highly interesting details and facts given to the convention in the speech of Dr. Worrall, who stated that he had been personally acquainted with all the late Indian forays and murders on the frontier, as the "base line" mentioned by General Houston passed directly through the yard in front of his house.

The platform adopted by the convention was as follows:

"Resolved, 1. That the Democratic party of the State of Texas reaffirm and concur in the principles contained in the platform of the National Democratic convention held at Cincinnati in June, 1856, as a true expression of their political faith and opinion, and herewith reassert and set forth the principles therein contained as embracing the only doctrines which can preserve the integrity of the Union and the equal rights of the States, and most unequivocally deny the Squatter Sovereignty interpretation

given to that platform, and that we will continue to adhere to and abide by the principles and doctrines of the Virginia and Kentucky resolutions of 1798-99, and Mr. Madison's report relative thereto.

"2. In order to give greater emphasis to these principles as applicable to present issues and exigencies, we further and specifically declare that Texas as a sovereign and independent nation joined the confederacy of the United States, thereby entering into a compact with each and all the States, the terms and conditions of which are embraced in the Constitution of the United States, one of them being, in effect, that the State of Texas, being a member of the confederacy, should exercise through the government of the United States certain powers which belong to her as a sovereignty, and which shall be exercised through her own government. That in becoming a member of the confederacy, Texas parted with no portion of her sovereignty, but merely changed the agent through whom she should exercise some of the powers appertaining to it.

"That, should these powers be used at any time to her injury or wrong, or should the government fail to exercise the powers which are delegated in good faith for the maintenance of her rights and the rights of her people, or should the compact she has entered into with the other States, through the bad faith of any of them, fail to accomplish the objects for which it was formed, in any of these cases, of which she alone can judge for herself, the State of Texas possesses the full right as a sovereign State to annul the compact, to revoke the powers she has delegated to the government of the United States, to withdraw from the confederacy, and resume her former place among the powers of the earth as a sovereign and independent nation.

"3. That it is the right of every citizen to take his property of every kind, including slaves, into the common territory belonging equally to all the States of the confederacy, and to have it protected there under the Federal Constitution. Neither Congress, nor a territorial legislature, nor any human power, has any authority either directly or indirectly to impair those sacred rights; and they having been affirmed by the Supreme Court of the United States in the Dred Scott case, we declare that it is the duty of the Federal government, the common agent of all the

States, to establish such government and to enact such laws for the territories, and to change the same from time to time, as may be necessary to insure the protection and preservation of those rights and to prevent every infringement of the same. The affirmation of this principle of the duty of Congress to simply protect the rights of property is in nowise in conflict with the heretofore established and still recognized principle of the Democratic party, that Congress does not possess the power to legislate slavery into the territories or exclude it therefrom. That while we declare our unabated attachment to the Constitution and the Union of these States, our own self-respect demands of us as a party to affirm that this Union can only be held sacred so long as it secures domestic tranquillity and all the guarantees of the Constitution are preserved inviolate.

"4. That we regard with great aversion the unnatural efforts of a sectional party at the North to carry on an irrepressible conflict against the institution, and whenever that party shall succeed in electing a President upon their platform, we deem it to be the duty of the people of the State of Texas to hold themselves in readiness to co-operate with our sister States of the South in convention to take into consideration such measures as may be necessary for our protection or to secure out of the confederacy that protection of their rights which they can no longer hope for in it.

"5. That this government was founded for the benefit of the white race; that political power was placed exclusively in the hands of men of Caucasian origin; that experience has taught these self-evident truths that the enforced equality of the African and European tends not to the elevation of the negro, but to the degradation of the white man; and that the present relations of the blacks and whites in the South constitutes the only true, natural, and harmonious relationship in which the otherwise antagonistic races can live together and achieve their mutual happiness and destiny. That we view with undisguised aversion and with a determined resolution to resist the design openly proclaimed by the leaders of sectionalism North to 'abolish these distinctions of races peaceably if we can, forcibly if we must.' We regard any effort by the Black Republican party to disturb the happily existing subordinate condition of the negro race in

the South as violative of the organic act guaranteeing the supremacy of the white race, and any political action which proposes to invest negroes with social and political equality with the white race as an infraction of those wise and wholesome distinctions of nature which as testified by all experience were established to insure the prosperity and happiness of each race."

Dr. Worrall's resolutions on frontier protection were favorably reported and passed.

As an endorsement of President Buchanan, the following was introduced and unanimously adopted:

"Resolved, That while we decline to endorse the course of the present Federal administration with reference to our frontier and some other questions of national policy, we deem it proper at the same time to declare that the policy of the administration in the main, and especially the sentiments expressed by President Buchanan in his late annual message with reference to the question which most vitally concerns the South, meets with our approval and endorsement."

On motion of Mr. Harrison, it was "Resolved, That in the death of Gen. M. B. Lamar, Texas has lost one of her beloved, distinguished, and patriotic sons and statesmen, ever generous, chivalrous, and true." This was adopted without opposition.

Maj. John Marshall was re-elected chairman of the State Central Committee.

The delegates to the Charleston convention were instructed to insist upon the adoption of the two-thirds rule, and a resolution passed providing for the appointment of electors for each judicial district.

It was determined to hold the next State convention at Dallas on the second Monday in April, 1861.

CHAPTER SIXTEEN.

National Democratic Convention at Charleston—Disagreement as to Platform and Withdrawal of Southern Delegates—The Convention Fails to Make Nominations and Adjourns to Reassemble at Baltimore—Withdrawing Delegates Meet and Organize at Richmond—Douglas Faction Reassemble at Baltimore—Irregular Proceedings—Withdrawal of Northern Delegates—Douglas Nominated for President—Adjournment—The Withdrawing Delegates Meet in Convention at Baltimore on the Adjournment of the Douglas Convention and Adopt for a Platform the Majority Report Made at Charleston—Breckenridge Nominated for President by Delegates Representing a Majority of the States—Yancey's Speech—Adjournment.

Immediately after the adjournment of the Galveston convention, I returned home and made preparation for an extended eastern tour with Mrs. Lubbock. So in a short time we set out for Charleston, via New Orleans and Mobile, arriving in good time, without incident. During our stay in the city we were the guests of Colonel Stevens, the brother-in-law of Ham P. Bee.

The other Texas delegates were promptly on hand at the appointed time, and we all took our seats at the opening of the National Democratic convention.

The convention assembled in Institute Hall, at noon, Monday, April 23, 1860, and was called to order by Judge Smalley, of Vermont, chairman of the National Democratic Committee.

On motion of McCook, of Ohio, Francis B. Flournoy, of Arkansas, was elected temporary chairman.

Dr. Hanckel opened the proceedings with prayer.

Mr. Ritchie, of Virginia, was chosen secretary *pro tem*.

Two committees (one on credentials and the other on permanent organization) were appointed, consisting of one member from each State, selected by the State delegations; and States that had sent two sets of delegates (like Illinois and New York) were not permitted representation thereon.

The following were the committee on credentials: C. D. Jameson, Maine; A. P. Hughes, New Hampshire; Stephen Thomas, Vermont; Oliver Stevens, Massachusetts; Geo. H. Brown, Rhode Island; Jas. Gallagher, Connecticut; Delos De Wolfe, New York; A. R. Speer, New Jersey; H. M. North, Penn-

sylvania; Wm. G. Whiteley, Delaware; W. S. Gittings, Maryland; E. W. Hubbard, Virginia; R. R. Bridges, North Carolina; B. F. Perry, South Carolina; J. Hartridge, Georgia; W. M. Brooks, Alabama; W. S. Barry, Mississippi; F. H. Hatch, Louisiana; Jas. B. Stedman, Ohio; G. T. Wood, Kentucky; W. H. Carroll, Tennessee; S. A. Hall, Indiana; W. J. Allen, Illinois; John M. Krum, Missouri; Van H. Manning, Arkansas; Benj. Follet, Michigan; C. E. Dyke, Florida; E. Greer, Texas; D. O. Finch, Iowa; P. H. Smith, Wisconsin; John S. Dudley, California; H. H. Sibley, Minnesota; Lansing Stout, Oregon.

The committee on permanent organization was composed as follows: Maine, W. H. Burrill; Pennsylvania, J. Cessna; Mississippi, Chas. Clark; New Hampshire, R. S. Webster; Delaware, J. B. Pennington; Florida, T. J. Eppes; Vermont, H. E. Sloughton; Maryland, John R. Emory; Louisiana, Emile La Sere; Massachusetts, C. W. Chapin; Virginia, John Brannon; Texas, F. R. Lubbock; Rhode Island, John N. Francis; North Carolina, W. A. Mole; Arkansas, John J. Stirman; Connecticut, A. C. Lippett; South Carolina, B. H. Wilson; Missouri, S. D. Churchill; New York, S. F. Fairchild; Georgia, J. H. Lumpkin; Tennessee, T. M. Jones; New Jersey, Robt. Hamilton; Alabama, A. B. Meek; Kentucky, C. Cecil; Ohio, Geo. W. Houk; Wisconsin, E. S. Bragg; Indiana, S. K. Wolfe; Iowa, E. H. Thayer; Illinois, A. M. Harrington; Minnesota, J. T. Rosser; Michigan, A. C. Baldwin; California, G. W. Patrick; Oregon, John K. Lamerick.

The reports of the committees having been made and accepted, Hon. Caleb Cushing, of Massachusetts, was elected permanent chairman (or president) of the convention, and the following gentlemen vice-presidents and secretaries, each State represented in the convention being honored in the selection: Maine: Vice-president, Thomas D. Robinson; secretary, C. Record. New Hampshire: Vice-president, Dan Marcy; secretary, Geo. A. Bingham. Vermont: Vice-president, Jasper Rand; secretary, P. W. Hyde. Massachusetts: Vice-president, Isaac Davis; secretary, B. F. Watson. Rhode Island: Vice-president, Gideon Bradford; secretary, Amasa Sprague. Connecticut: Vice-president, Samuel Arnold; secretary, M. R. West. New Jersey: Vice-president, Wm. Wright; secretary, John C. Rafferty. New York:

Vice-president, Erastus Corning; secretary, Edward Cooper. Pennsylvania: Vice-president, Thos. Cunningham; secretary, Franklin Vansant. Delaware: Vice-president, W. H. Ross; secretary, John H. Buley. Maryland: Vice-president, W. T. Bowie; secretary, E. L. F. Hardeastle. Virginia: Vice-president, O. R. Funston; secretary, Robt. H. Glass. North Carolina: Vice-president, Bedford Brown; secretary, L. W. Humphrey. South Carolina: Vice-president, B. H. Brown; secretary, Franklin Gaillard. Georgia: Vice-president, Jas. Thomas; secretary, J. J. Dimond. Alabama: Vice-president, R. G. Scott; secretary, N. H. R. Dawson. Mississippi: Vice-president, Jas. Drane; secretary, W. H. H. Tyson. Louisiana: Vice-president, R. Taylor; secretary, Chas. Jones. Ohio: Vice-president, David Tod; secretary, W. M. Stark. Kentucky: Vice-president, B. Spalding; secretary, Robt. McKee. Tennessee: Vice-president, J. C. C. Atkins; secretary, John R. Howard. Indiana: Vice-president, Isaac C. Elston; secretary, Lafayette Devlin. Illinois: Vice-president, Z. Casey; secretary, R. E. Goodell. Arkansas: Vice-president, Francis A. Terry; secretary, F. W. Hoadley. Michigan: Vice-president, H. H. Riley; secretary, John G. Parkhurst. Florida: Vice-president, B. F. Wardlaw; secretary, C. E. Dyke. Texas: Vice-president, H. R. Runnels; secretary, Thos. P. Ochiltree. Missouri: Vice-president, Abraham Hunter; secretary, J. T. Mense. Iowa: Vice-president, T. W. Claggett; secretary, J. W. Bosier. Wisconsin: Vice-president, Fred W. Horn; secretary, A. F. Pratt. California: Vice-president, J. A. Dreibelbis; secretary, John S. Dudley. Minnesota: Vice-president, W. W. Phelps; secretary, G. T. Rosser. Oregon: Vice-president, A. P. Dennison; secretary, R. P. Metcalf.

The announcement of Cushing's name as president excited loud cheering.

On recommendation of the committee on permanent organization, the rules governing the Democratic conventions of 1852 and 1856 were adopted; but an additional rule recommended by the committee met with considerable opposition. The rule proposed was as follows: "That in every State which has not provided, or directed, by its State convention how its vote may be given, the convention will recognize the right of each delegate to cast his individual vote."

In the general discussion that ensued as to the adoption of this additional rule, I stated that a proposition to report it to the convention had been voted down in the committee by an immense majority: that, according to my information, the committee, without due notice to its members, had met again, with reduced numbers, and undone the work of the majority, and that I did not think it fair to bring the question before the convention in such a manner. I held that the old rules of Democracy were sufficient for all emergencies, and that it was a matter for the several delegations themselves to settle whether or not they would vote as a unit.

Mr. Cessna, chairman of the committee, claimed, in reply, that a large majority of the committee had acted on the matter; that he had sent out notices to get the attendance of every member of the committee; and, in conclusion, that the unit rule, left to the option of the several State delegations, would disfranchise him.

Josiah Randall, of Pennsylvania, opposed the new rule, saying: "A few weeks ago I called upon Judge Smalley, and he told me that it was the common law of the last four Democratic conventions that each delegation had the right to determine how they would vote, whether as a unit or otherwise."

Mr. Wright, of Pennsylvania (who had been a member of every national Democratic convention that had ever been held), in advocating the additional rule, said in part: "If, however, the convention of the party in any State shall have determined that the vote of the State shall be cast as a unit, I have not a word to object; but when a State convention has left to the individual delegates the full power of voting according to their own individual opinions, then it is the part of 'we, the people,' to say how we shall vote, uncontrolled by the majority of our particular delegations. . . . In 1844 the vote of Pennsylvania stood twelve to thirteen on the adoption of the two-thirds rule, when, for the first time, it was made applicable to the nomination of candidates for the presidency. At a previous convention that rule was adopted in regard to the nomination of Richard M. Johnson for the vice-presidency."

On the question being put, the rule was adopted.

Hon. Caleb Cushing was escorted to his seat as president of

the convention by General Clark, of Mississippi, and Colonel Richardson, of Illinois.

On taking the chair, President Cushing said in part:

"Gentlemen of the Convention: You have come together . . . to participate in the selection of the future rulers of the Republic. You do this as the representatives of the Democratic party—of that great party of the Union . . . whose proud mission it was, and is, to maintain the public liberties; to reconcile popular freedom with constituted order; to maintain the sacred, reserved rights of the States [applause]; to stand, in a word, the perpetual sentinels upon the outposts of the Constitution. . . .

"Opposed to us are those who labor to overthrow the Constitution, under the false and insidious pretense of supporting it; those who are aiming to produce in this country a permanent sectional conspiracy—a traitorous sectional conspiracy—of one-half the States of the Union against the other half [applause]; those who, impelled by a stupid and half insane spirit of faction and fanaticism, would hurry our land on to revolution and civil war."

On the second day of the convention, in response to a roll call of the States, the following gentlemen were presented, by name, as the committee on resolutions: Amos M. Roberts, Maine; W. Burns, New Hampshire; E. M. Brown, Vermont; Ben F. Butler, Massachusetts; C. S. Bradley, Rhode Island; A. G. Hazard, Connecticut; Edwin Crosswell, New York; Benj. Williamson, New Jersey; H. B. Wright, Pennsylvania; Jas. A. Bayard, Delaware; Bradley S. Johnson, Maryland; Jas. Barbour, Virginia; W. W. Avery, North Carolina; John S. Preston, South Carolina; Junius Wingfield, Georgia; J. B. Owens, Florida; John Erwin, Alabama; R. A. Hunter, Louisiana; E. Barksdale, Mississippi; F. S. Stockdale, Texas; N. B. Burrow, Arkansas; ———, Missouri; Samuel Mulligan, Tennessee; R. K. Williams, Kentucky; H. B. Payne, Ohio; P. C. Dunning, Indiana; O. B. Fielding, Illinois; G. V. N. Lathrop, Michigan; A. S. Palmer, Wisconsin; B. M. Samuel, Iowa; Jas. M. Cavanaugh, Minnesota; Austin E. Smith, California; Isaac I. Stevens, Oregon.

At the third day's session Mr. Avery, of North Carolina, reported the platform agreed upon by a majority of the committee

—delegates representing seventeen States, fifteen slave States, Oregon, and California, commonwealths possessing an aggregate of 127 electoral votes, all solidly Democratic.

The minority report was presented by Mr. Payne, of Ohio, and signed by delegates from fifteen free States. These fifteen States represented 176 electoral votes, all more or less doubtful.

After being debated several days, both reports were recommended.

On the sixth day Mr. Avery, acting for a majority of the committee, reported the following platform:

“Resolved, That the platform adopted at Cincinnati be affirmed, with the following explanatory resolutions:

“First. That the government of a territory, organized by an act of Congress, is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle, with their property, in the territory, without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation.

“Second. That it is the duty of the Federal government, in all its departments, to protect, when necessary, the rights of person and property in the territories and wherever else its constitutional authority extends.

“Third. That when the settlers in a territory, having an adequate population, form a State Constitution, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other States; and the State thus organized ought to be admitted into the Federal Union, whether its Constitution prohibits or recognizes the institution of slavery.

“Fourth. That the Democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain, at the earliest practicable moment.

“Fifth. That the enactments of State Legislatures to defeat the faithful execution of the fugitive slave law are hostile in character, subversive of the Constitution, and revolutionary in their effect.

“Sixth. That the Democracy of the United States recognize it as the imperative duty of this government to protect the

naturalized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

"Whereas, One of the greatest necessities of the age, in a political, commercial, postal, and military point of view, is a speedy communication between the Pacific and Atlantic Coasts; therefore,

"Be it resolved, That the Democratic party do hereby pledge themselves to use every means in their power to secure the passage of some bill, to the extent of the constitutional authority of Congress, for the construction of a Pacific railroad from the Mississippi River to the Pacific Ocean, at the earliest practicable moment."

The minority report (submitted by Mr. Samuels, of Iowa) differed from the majority report only in the second resolution. The second resolution, as offered by the minority, was as follows :

"Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the Constitution of the United States, over the institution of slavery within the territories ;

"Second. Resolved, That the Democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law."

This was the vital point on which the whole controversy turned—whether the party should clearly enunciate its belief in relation to this important matter and pledge itself to give practical effect to that belief if intrusted with power, or agree to hold its judgment in suspense until the Supreme Court had spoken, and then accept, as a final settlement, whatever decision that tribunal might announce.

This was an attempt to dodge the question at issue, which we determined not to permit.

B. F. Butler, of Massachusetts, offered the following as a substitute for both reports :

"Resolved, That we, the Democracy of the Union, in convention assembled, hereby declare our affirmance of the Democratic resolutions unanimously adopted and declared as a platform of principles at Cincinnati in the year 1856, without addition or

alteration, believing that Democratic principles are unchangeable in their nature when applied to the same subject matter; and we recommend, as the only further resolution, the following:

“Resolved. That it is the duty of the United States to extend its protection alike over all its citizens, whether native or naturalized.”

Butler's substitute was, if possible, a more pronounced effort to dodge the issue than that suggested by the minority report.

The vote, taken by States, on his substitute resulted in its defeat—198 nays to 105 yeas.

Principles, it is true, never change. We did not propose such a change. What we insisted upon was a clear-cut announcement of principles; an unmistakable party interpretation of the Cincinnati platform, in order that issue might be squarely joined before the people, in what we anticipated would be a great and decisive political battle. Butler and Douglas, however much they differed on other things, had conspired to defeat our purpose. Their desire was, apparently, for the anti-slavery men to win by indirection what they could not accomplish openly.

A vote was then taken on the minority report (offered as a substitute for the majority report), and resulted in its adoption by the convention—165 yeas, 138 nays.

The votes of the fifteen slave States, with the exception of three and one-half of Maryland's eight votes, one of Virginia's eleven votes, four of Missouri's nine votes, one of Tennessee's eleven votes, and two and one-half of Kentucky's twelve votes, were cast in the negative. All the votes of the seventeen free States were in the affirmative, save those of California and Oregon (four and three respectively), six of Massachusetts' thirteen votes, two of New Jersey's seven votes, and fifteen of Pennsylvania's twenty-seven votes.

The sectional character of the vote augured ill for the integrity of the Democratic party and the preservation of the Union. Indeed, this deliberate rejection of the majority report, which alone gave slaveholders equal rights in the territories, proved to be the entering wedge for separation.

On motion of Mr. Butler, the convention next proceeded to vote, by States, upon each section of the minority report, not-

withstanding the fact that the report had already been adopted as a whole.

On the section reaffirming the Cincinnati platform the vote stood 237½ yeas to 65 nays. The Texas delegation voted in the negative, as we considered the Cincinnati platform, without an explanation, a swindle. That platform, with the construction placed on it by Mr. Douglas, was all that was, at this stage in the process of platform building, left to the South.

On the question to lay on the table the remaining sections of the report, there were 81 yeas to 188 nays, the Carolinas, Arkansas, Missouri, and all the Gulf States declining to participate in the ballot.

A vote was then taken on the second resolution and its preamble, resulting in its being rejected, when thus separately put—238 nays to 21 yeas. The Gulf States and Arkansas declined to vote. The delegates from Texas took no further part in the balloting after the adoption of that portion of the minority report containing a bold affirmance of the Cincinnati platform. The majority, however, proceeded to the extremity of the issue, and adopted seriatim, the remaining sections of the report, the one favoring the acquisition of the island of Cuba meeting with no opposition.

When a vote was called for upon the acquisition of the island of Cuba, Mr. Bryan, chairman of our delegation, stated that Texas was in favor of a Pacific railroad and the acquisition of Cuba, but she declined voting.

In reply to Stuart, of Michigan, who had stated that Alabama had now a new demand in addition to former grievances, Mr. Yancey said: "I have never, at any time, here or elsewhere, yielded the position that the Cincinnati platform did not give to the South the doctrine that Congress should intervene to repeal, or modify, unconstitutional laws. I have not here, or anywhere else, desired to be understood as saying that Alabama desired a new plank. The Cincinnati platform, as construed by Mr. Douglas and his friends, is hostile to our construction of it. He and his friends are here to-day in a majority and have that platform, after having told the South that they never would yield the doctrine of squatter sovereignty. That, therefore, gives to the Cincinnati platform, when adopted by this body, the construction of

that majority: and it is, that the South is not entitled to protection by Congress in the Territories, but that the legislatures there can drive Southern men out of the Territories. Simply to meet that construction and to explain what our views are, Alabama desires an explanatory resolution to the effect that Congress should not intervene to establish slavery by organic law, nor to exclude it by organic law, but that Congress has the power, coupled with the duty, to interfere to protect the constitutional rights of the slaveholder, whenever and wherever assailed." [Great cheering.]

Mr. L. P. Walker, chairman of the Alabama delegation, next got the floor and read the resolutions of the Alabama State Democratic convention instructing her delegates to withdraw from the National Democratic convention if the convention failed, in its platform, to recognize the rights of the South in the Territories; after which the Alabama delegation retired from the hall. Whereupon, Mississippi, Louisiana, South Carolina, and Florida also withdrew, after filing their protests through their respective chairmen.

Our chairman, Guy M. Bryan, who was greeted with loud cheers, said:

"Mr. President and Gentlemen of the Convention: Texas, through her delegates on this floor, in the land of Calhoun, where 'truth, justice, and the Constitution' was proclaimed to the South, says: 'This day, you stand erect!' [Loud cheers.] Whilst we deprecate the necessity which calls for our parting with the delegates of the other States of this confederacy, yet it is an event that we, personally, have long looked to. Educated in a Northern college, I there first learned that there was a 'North and a South'; there were two literary societies, one Northern and the other Southern. In the churches, the Methodist Church, the Baptist Church, the Presbyterian Church, are North and South. Gentlemen of the North and the Northwest: God grant that there may be but one Democratic party! It depends upon your actions, when you leave here, whether it shall be so. Give not aid and comfort to the Black Republican hosts; but say to the South, 'You are our equals in this confederacy, and your lives, your persons, and property, equally with those of the Northern States, are protected by the Constitution of the Fed-

eral Union.' What is it we, the Southern Democrats, are asking you to acknowledge? Analyze it and see the meaning, and it is this, that we will not ask quite as much of you as the Black Republicans; and, if you only grant what we ask, we can fight them. We blame you not, if you really hold these opinions; but, declare them openly, and let us separate as did Abraham and Lot.

"I have been requested to read this protest on the part of the delegates from Texas, and to ask the courtesy of the convention that it be spread upon the minutes of its proceedings."

The following is the protest to which Mr. Bryan alluded:

"Hon. Caleb Cushing, President of the Democratic National Convention: The undersigned delegates from the State of Texas would respectfully protest against the late action of this convention in refusing to adopt the report of the majority of the committee on resolutions, which operates as the virtual adoption of principles affirming doctrines in opposition to the decision of the Supreme Court in the Dred Scott case, and in conflict with the Federal Constitution, and especially opposed to the platform of the Democratic party in Texas.

"Recognizing these declarations of principles as instructions to us for our government in the National convention, and believing that a repudiation of them by all of the Northern States, except the noble States of Oregon and California, the whole vote of which is more than doubtful in the ensuing presidential election, demand from us our unqualified condemnation.

"The undersigned do not deem this the place, or time, to discuss the practical illustration that has been given of the 'irrepressible conflict' between the Northern and Southern States, that has prevailed in the convention for the last week.

"It is sufficient to say that, if the principles of the Northern Democracy are properly represented by the opinion and action of the majority of the delegates from that section on this floor, we do not hesitate to declare that their principles are not only not ours, but, if adhered to and enforced by them, will destroy this Union.

"In consideration of the foregoing facts, we can not remain in this convention.

"We consequently respectfully withdraw, leaving no one authorized to cast the vote of the State of Texas.

"Guy M. Bryan, chairman; F. R. Lubbock, F. S. Stockdale, E. Greer, H. R. Runnels, Wm. H. Parsons, R. Ward, J. F. Crosby, M. W. Cavey, T. P. Ochiltree."

The substance of the protests of all the seceding Southern States was resistance to Douglas' "squatter sovereignty" and disapproval of the Janus-faced proposed platform, dodging the vital issue, viz., protection of slavery in the Territories until admitted as States into the Union.

Arkansas followed Texas, her delegates submitting a protest and retiring from the hall.

The Georgia delegation, after in their turn submitting a solemn protest, withdrew from the convention the following day, May 1st.

Mr. Flournoy, of Arkansas, made a speech deprecating the inconsiderate action of the cotton States.

Short speeches were now made in a conciliatory way, deprecating the situation and hoping for harmony, by Messrs. Seward, of Georgia; Holden, of North Carolina; Richardson, of Illinois; Perry, of South Carolina; Howard, of Tennessee; Krum, of Missouri, and Bidwell, of California.

On motion of Mr. McCook, of Ohio, the convention, at 2 p. m., May 1st, entered upon the selection of candidates for the presidency and vice-presidency, balloting by States.

Mr. King nominated Stephen A. Douglas [applause]; Caldwell, of Kentucky, nominated James Guthrie; Bidwell, of California, nominated Daniel S. Dickinson; Russell, of Virginia, nominated R. M. T. Hunter; Ewing, of Tennessee, nominated Andrew Johnson; and Stevens, of Oregon, nominated Gen. Joseph Lane.

The first ballot gave Douglas 145½, Hunter 42, Dickinson 35½, Johnson 12, Dickinson 7, Lane 6, Toucey 2½, Davis 1½, Pearce 1.

The last three had not been formally put in nomination.

It was Butler that gave Jefferson Davis 1½ votes out of Massachusetts' 13.

There were fifty-seven ballots taken that day and the next, without any material variation. The whole number of electoral

votes being 303, 202 were necessary to a choice under the two-thirds rule.

Mr. Douglas never received on any ballot more than $152\frac{1}{2}$ votes.

As it was evident that no nomination could be made under existing circumstances, the convention adjourned May 3d, to meet again in Baltimore on June 18th.²⁹

President Cushing, on the eve of adjournment, delivered a feeling address to the convention, saying, in conclusion :

"Finally, permit me to remind you, gentlemen, that not merely the fortunes of the great constitutional party which you represent, but the fortunes of the Constitution, also, are at stake in the acts of this convention.

"During the period of eighty-four years, we, the States of this Union, have been associated together, in one form or another, for objects of domestic order and foreign security. We have traversed, side by side, the war of the revolution, and other and later wars; through peace and war, through sunshine and storm, we have held our way manfully on, until we have come to be a great Republic. Shall we cease to be such? I will not believe it. I will not believe that the noble work of our fathers is to be shattered into fragments; this great Republic to be but a name in history of a mighty people once existing, but existing no longer

²⁹ Col. Stockdale, our representative on the platform committee, being confined to his room by sickness, I was chosen by the Texas delegation to act in his stead. B. F. Butler, of Massachusetts, and Gov. Stevens, of Oregon, took such extreme States' rights positions in the committee room that I voted against the utterances they insisted upon being embodied in the platform. Butler thereupon took occasion to say that Texas possessed neither population, wealth, talent, nor representation to entitle her to much consideration. The Chairman, Col. Avery, of North Carolina, calling him to order, I asked that he be allowed to proceed to the end of his tirade; and when it was finished I replied to him in the manner he deserved, stating among other things, that he was endeavoring to place the South in a false position before the country; that he was no friend to the South and could not deceive me or the Texas delegation, and that in a few decades Texas, already possessing every element that dignifies and renders illustrious a free people, would outstrip Massachusetts in the matter of representation — a prediction that will doubtless be verified when the census is taken during the present year (1900).

save as a shadowy memory, or as a monumental ruin by the side of the pathway of time. I fondly trust that we shall continue to march on forever, the hope of nations, as well in the old world as in the new. As the bright orbs of the firmament, which roll fatally on, without rest (because bound for eternity), without haste (because predestined for eternity), so may it be with this glorious confederation of States. I pray you, therefore, gentlemen, in your return to your constituents, and to the bosom of your families, to take with you, as your guiding thought the sentiment of the Constitution and the Union. And with this I cordially bid you farewell until the prescribed reassembling of the convention."

The withdrawing members assembled (May 1st) at Military Hall and resolved themselves into a deliberative body by electing Senator Bayard, of Delaware, chairman, and selecting eight vice-presidents and a committee on resolutions.

This committee was composed of Messrs. Stockdale, of Texas; Erwin, of Alabama; Jackson, of Georgia; Hunter, of Louisiana; Barksdale, of Mississippi; Burrows, of Arkansas; Magowan, of South Carolina; Whitely, of Delaware, and Dike, of Florida.

We called our body the Constitutional Democratic Convention.

At our meeting the next day the platform committee reported the declaration of principles recommended in the majority report previously voted down in the Charleston convention, substituting, however, the word "Constitutional" for the word "National" wherever it occurred in that document. This report was adopted nearly unanimously.

The convention then adjourned until 8 p. m., at which time it was thought a presidential ticket would be made out. The general talk favored the nomination of Jefferson Davis for President, and Chas. O'Connor, of New York, for Vice-President.

At the evening session Judge Winston, of Alabama, denounced the new platform as a humbug, and nominations were lost sight of in the stormy debates that followed.

The upshot of the discussion was, that the consideration of nominations was postponed, and we adjourned to meet again at Richmond, Va., early in June, at which time it was agreed nominations should be made and a platform promulgated.

This action was taken in order that all the States might have an opportunity to send delegates.

The Constitutional Democratic convention reassembled at Richmond, June 11th, in accordance with this plan.

I was elected temporary chairman.

The States of Louisiana, Texas, Mississippi, Alabama, Georgia, Florida, South Carolina, Arkansas, Virginia, and New York were represented.

After the appointment of a committee on organization and one on credentials, the convention adjourned to await reports.

The meeting was promptly called to order the following day at the hour prescribed at adjournment. The attendance of delegates was large, all the seceding States being fully represented. The hall was also well filled with ladies, who occupied the side seats.

The committees having reported and their reports having been adopted, the convention was permanently organized by electing Hon. John Erwin, of Alabama, president, and vice-presidents and secretaries from each of the States represented except New York.

It then adjourned, to enable the members to attend the Baltimore convention, which met on the 18th. Provision was made, however, by resolution, for reassembling at Richmond, should President Erwin deem it advisable.

This line of procedure was adopted in deference to the advice of Democratic members of Congress, who had issued a circular advising us to pursue that course and endorsing all previous action taken by us. Nineteen signatures were affixed to this circular, among others those of John Slidell, Jefferson Davis, L. Q. C. Lamar, Robert Toombs, R. M. T. Hunter, J. M. Mason, J. P. Benjamin, and Jno. H. Reagan.

The idea was for us to participate in the regular convention at Baltimore and if possible, without stultification or surrender of principle, get a satisfactory platform adopted; but, if we failed in that, to reassemble at Richmond and put out candidates.³⁰

³⁰ This action of the convention goes to show how loath were its members to accept as permanent the disruption of the National Democratic party till all honorable means were tried to restore its integrity.

The Baltimore convention met in the Front Street Theater, that city, June 18th and was called to order by Mr. Cushing.

On roll-call of States, the following responded: Maine, New Hampshire, Massachusetts, Vermont, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Missouri, Tennessee, Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Minnesota, California and Oregon—twenty-four in all. In calling the roll of the States, the names of those whose delegations had withdrawn from the convention at Charleston were omitted.

In addressing the convention, Mr. Cushing said: "Gentlemen, we assemble here now, at a time when the enemies of the Democratic party—let me say the enemies of the Constitution of the United States [applause]—are in the field with their selected leader (Abraham Lincoln), with their banners displayed, advancing to the combat with the constitutional-interests party of the United States; and upon you, gentlemen, upon your actions, upon your spirit of harmony, upon your devotion to the Constitution, upon your solicitude to maintain the interests, the honor, and integrity of the Democratic party, as the guardian of the Constitution; upon you it depends whether the issue of that combat is to be victory or defeat for the Constitution of the United States."

Considerable speech making was indulged in as to whether delegates from States whose representatives had withdrawn from the convention at Charleston should be admitted to seats, if they applied for that privilege. It was at first mild and courteous, but afterwards bitter and harsh in expression.

Mr. A. A. King, of Missouri, said: "The protest of Texas in withdrawing from the Charleston convention, was, next to Florida, the most insulting of all, and their withdrawal was absolute and unconditional. They even protested against allowing anybody else to represent the State. . . . The Richmond convention has not adjourned, but simply taken a recess, its members come here only for mischief, and if they can not have their own way, intend to go back and . . . nominate some man and run him against the regular nominee of the Democratic party made here." They should never be admitted to the Baltimore convention by his vote, said he, so help him God. [Applause.]

King might have saved his temper and his manners, as we did not desire to further participate in the deliberations of a convention that had so rudely denied to us any recognition of our rights.

Mr. West, of Connecticut, said: "The seceders went out because the majority would not adopt a platform which would destroy the party in every free State. . . ." and that he would do as much as anyone to save the Union; but, if the South would go, he would say, "good-by, Hal."

The credentials committee report (which was adopted) recommended the seating of the Texas delegation, and contesting delegations, instead of the regular delegations, from the other withdrawing States. The Texas delegation declined to take advantage of the proffered opportunity of playing tail to the kite of the Douglass machine, and simply remained in the hall as on-lookers. Had all the regular delegations been invited to seats, it is possible that Texas might have, with the others, accepted and made one more effort to heal the breach and select, on a just platform, a nominee for the whole party. The seating of the irregular delegations and the tone of the speeches delivered convinced the representatives of Southern Democracy that they had nothing to expect and that the fixed determination was to adhere to positions already taken and nominate Mr. Douglas, let the consequences to the party and country be what they would.

Mr. Gaulden, of Georgia, said that he proposed to remain in the convention; that he was for maintaining the integrity of the National Democratic party; that he belonged to the extreme South, and that he was pro-slavery "in every sense of the word; yea, an African slave trade man."

Mr. Claiborne, of Missouri, was severe on the seceders, stating that "he had heard no one say they could elect their nominees; they only hoped to give the Southern States to Bell and Everett; and, if there was anything that the Southern Democracy disliked, next to abolitionism, it was the fossil remains of Whiggery and Know-Nothingism." . . . These men would all repent," said he, "of bolting, and come back in less than four years."

The convention soon began to crumble and fall to pieces, a number of State delegations (principally Southern) withdraw-

ing, among the number, those from Delaware, Virginia, Kentucky, North Carolina, Tennessee, Oregon, and California.

On the presentation of a motion to proceed to the nomination and selection of candidates, Mr. Cushing arose and addressed the convention, saying: "The delegations of a majority of the States having, in whole or in part, in one form or another, ceased to participate in the deliberations of this convention. . . . I deem it my duty to resign my seat as president of the convention [prolonged cheering in the galleries], in order to take my seat on the floor as a member of the delegation from Massachusetts, and to abide whatever may be the determination of that delegation in regard to its future action."

Governor Tod, of Ohio, one of the vice-presidents, took the chair amidst prolonged applause.

Mr. Butler then stated that he and others, constituting part of the Massachusetts delegation, desired to retire. He said this action was taken for the reason that a majority of the States had, in whole or in part, withdrawn; and that, speaking to a matter personal to himself, he could not, and would not sit in a convention where the African slave trade, denounced by the laws of his country as a heinous crime, was openly advocated. [Applause.]

This was a misrepresentation on the part of Butler, based on the remarks of Mr. Gaulden, of Georgia, whose boast that he was in favor of it had been received in contemptuous silence, until Butler's righteous soul (?) stirred it up again.

Butler withdrew, followed by Mr. Cushing and four others of the Massachusetts delegation.

Mr. Soule, of Louisiana, one of the bogus delegates from Louisiana, on being loudly called for, addressed the convention, saying that he stood with John C. Calhoun on the doctrine of nonintervention in the territories, and where Calhoun could stand, Southern men need not fear to stand; secession from the convention meant disunion; the Northern abolitionists wanted Congress to exclude slavery from the territories; Southern gentlemen wanted congressional protection for slavery in the territories; "the true doctrine was that advocated by Mr. Douglas, nonintervention;" the gentlemen who had seceded from the convention knew that the mass of their people at home would not sustain them, and the best proof of it was, that in no

State where delegations had seceded had the seceders called a fair convention of the people to put to the test their pretensions—and much more of the like. This did not apply, so far as we were concerned, as the Texas delegation had not returned home to agitate any such question.

To render Mr. Douglas' nomination absolutely certain, the two-thirds rule was now so modified as to mean only two-thirds of the delegates in the convention. Two-thirds of the votes of all the delegates from all the States was the rule at Charleston.

On the first ballot Douglas received $173\frac{1}{2}$ votes; Guthrie, 9; Breckenridge, $6\frac{1}{2}$; Bocock, 1; Seymour, 1; Dickinson, $\frac{1}{2}$; Wise, $\frac{1}{2}$ vote.

The second ballot gave Douglas $181\frac{1}{2}$ votes, Breckenridge, $7\frac{1}{2}$, and Guthrie, $5\frac{1}{2}$ votes.

The nomination of Douglas was then, on motion, made unanimous, the resolution declaring him to be the standard-bearer of the "Democratic Union Party" for president. Delegates leaped to their feet, hats were waved in the air, and many tossed aloft; shouts, screams, and yells, and every boisterous mode of expressing approbation was resorted to. This demonstration at an end, telegrams conveying congratulations from various Northern States were opened as they were received and read to the convention, each reading being followed by cheering.

The following resolution, explanatory of Douglas' platform, was offered by Mr. Wickliffe, of Louisiana, and adopted by the convention:

"Resolved, That it is in accordance with the true interpretation of the Cincinnati platform that, during the existence of the territorial government, the measure of restriction, whatever it may be, imposed by the Federal Constitution on the powers of the territorial legislature over the subject of domestic relations, as the same has been or shall hereafter be finally determined by the Supreme Court of the United States, should be respected by all good citizens and enforced with promptness and fidelity by every branch of the government."

Mr. Richardson, of Illinois, now let out, in an oracular way, what he seemed to believe was a great secret, viz: that Mr. Douglas would actually accept the nomination that had just been made. It would have been strange indeed if he would not

accept what he had been scheming and working to obtain for ten years.

In announcing the result of the vote on the question of adjournment sine die, President Tod said: "Victory in this contest, fellow Democrats, is in our hands. [Applause.] We have only to continue sternly, firmly, patiently, fairly, and honorably in the discharge of our duties, as we have done since we met in Charleston, to crown our efforts with entire success.

"Wishing you all a safe return to your homes, . . . I now declare this convention adjourned without day, and bid you all good-bye."

The convention then, at 10 a. m., June 23, 1860, adjourned.³¹

³¹During the sitting of the convention there were a number of consultations between us and our friends in that body, with the object of deciding, if possible, upon some basis of agreement that would unite the two wings of the party and enable them to act together in the nomination of candidates and the promulgation of a platform — all, as has been seen, without avail. On the adjournment of one of these meetings in which I had acted as chairman of the Texas delegation, Col. Bryan being absent, and when we had walked out into the streets Hon. Samuel J. Raudall came face to face with a man named Montgomery and at once struck him several blows with a cane. Seeing that Montgomery was a powerful man, I handed Randall a pistol and told him not to let Montgomery hit him. A crowd quickly gathered, Randall stood his ground, and Montgomery slunk off. It seems that Montgomery had insulted Randall's father in a speech delivered in the Douglas convention a few days before. The New York *Herald* published next morning an exaggerated account of the street difficulty, stating that Col. Guy M. Bryan had handed the pistol to Randall. The colonel and I being of about the same stature, the *Herald* correspondent, learning that a small man from Texas had thus assisted the Pennsylvanian, at once reached the conclusion that it was Bryan, and so stated. Colonel Bryan was very much incensed, and wanted to send a communication to the *Herald*. I kept very dark, but said to the colonel: "Let it go; what is the use of bothering about it? Nothing more will ever come of it, and it will only cause the *Herald* to come back. Don't notice it." He followed my advice and let it pass. Some time afterwards I told him how it all happened, and that I was the bad boy who handed the pistol. Owing to the high tension prevailing nearly every man in Baltimore was armed at the time, myself among the number, all holding themselves in readiness for whatever might arise.

Hon. Samuel J. Randall later became a distinguished statesman, and during the dark days that followed the war was an active, able, and fearless defender of the South in Congress.

Our delegates met in National Democratic convention in the hall of the Maryland Institute, at Baltimore, at noon, June 23, 1860.

Charles W. Russell, of Virginia, was called to the chair. On taking his seat, Mr. Russell said, among other things:

"The convention assembled elsewhere, and from which you have withdrawn, has lost all title to the designation of national. . . . You and those whom you represent are a majority of the people of the Democracy and of the Democratic States. [Applause.] They will look to you to perform the functions of a National Democratic convention, and you will be so recognized alike by the North and the South, the East and the West. [Cheers.]

"I have every confidence that you will stand upon these principles and will be able to defend the Democratic party, protect the rights of all the States, and maintain the Constitution against all enemies, open or insidious." [Applause.]

Messrs. Walker, of Alabama; McHenry, of Pennsylvania; Stevens, of Oregon; Williams, of Massachusetts, and Fisher, of Virginia, were, on motion, appointed a committee on organization.

On call of the States, it was discovered that Maine, New Hampshire, Rhode Island, Connecticut, Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota were unrepresented by delegates. Vermont had 1, Massachusetts 16, New York 2, Pennsylvania, —, New Jersey, no representative, Delaware, —, Virginia 23, North Carolina 16, Alabama 36, Mississippi 14, Louisiana 14, Texas 8, Arkansas 9, Missouri 2, Tennessee 19, Kentucky 10, California 4, Oregon 3, Maryland 9, South Carolina, no representative, Florida 6. Iowa asked for representation through her two sons, H. H. Heath, of Dubuque, and John Johns, of Davenport.

The committee on permanent organization recommended the election of the following permanent officers:

President, Hon. Caleb Cushing; vice-presidents and secretaries (the first named being vice-presidents and the second secretaries): Pennsylvania, V. L. Bradford and David Fist; Virginia, O. R. Funsten and W. P. Cooper; Oregon, A. P. Denison and H. R. Crosbie; California, J. E. Dresbit; Tennessee, J. O. C.

Atkins and D. D. Withers; Kentucky, J. S. Kenrick; North Carolina, Bedford Brown and S. W. Humphrey; Mississippi, W. F. Featherston and C. J. Armistead; Georgia, H. S. Benning and F. H. West; Vermont, H. E. Stoughton; Missouri, M. J. McElhany; Louisiana, Richard Taylor; Alabama, R. G. Scott and N. H. R. Dawson; Arkansas, Josiah Gould and F. W. Hoadley; Maryland, W. P. Bowie and E. S. F. Hardecastle; Delaware, W. H. Ross and W. G. Whitely; Texas, H. R. Runnels and Thos. P. Ochiltree; Florida, B. F. Wardlaw and J. J. Williams.

The committee's report was adopted unanimously.

Mr. Cushing was conducted to the chair by Messrs. McHenry, of Pennsylvania, Walker, of Alabama, and Stevens, of Oregon.

President Cushing was greeted with cheers and the most deafening applause.

On taking the chair he said: "Gentlemen of the Convention: We assemble here, delegates to the National Democratic convention, duly accredited thereto from more than twenty States of the Union, for the purpose of nominating candidates of the Democratic party for the offices of President and Vice-President of the United States, for the purpose of announcing the principles of the party, and for the purpose of continuing and re-establishing that party upon the firm foundations of the Constitution, the Union, and the coequal rights of the several States." [Loud applause.]

Mr. Butler, of Massachusetts, moved that the gentlemen (then on the floor) who had been appointed on the platform committee at Charleston, be requested to report at once.

To Butler's motion, I objected, as being premature and hasty, saying: "The committee on credentials have not yet reported, and it is essential that we should have our proceedings perfected, so that we can go before the country with a clear and regular record. This is no trifling assemblage, and I conscientiously believe that the nominees of this convention will be the next President and Vice-President of the United States. Let us therefore proceed with regularity and according to Democratic usage."

Butler's motion, though supported with a speech by Mr. Johnson, of Maryland, failed, and the proceedings took the usual course.

At Butler's request, he was relieved from duty on the commit-

tee on platform, and B. F. Hallett, of Massachusetts, who was not present at Charleston, appointed in his stead.

Mr. Hunter, of Louisiana, moved that the delegates to the Richmond convention be requested to unite with their brethren of the National Democratic convention, if they felt authorized to do so. Adopted.

The committee on credentials' report was submitted and adopted.

The members of our delegation at Baltimore were: Guy M. Bryan, H. R. Runnels, F. S. Stockdale, J. F. Crosby, T. P. Ochil-tree, and myself.

Mr. Avery, of North Carolina, chairman of the committee on resolutions, reported the identical resolutions presented as the majority report at Charleston, and they were adopted unanimously, the result being loudly cheered.

Nominations being now in order, Mr. Loring, of Massachusetts, said: "We have no personal preferences. Our desire is to present the name of a man here, in whom we feel confidence and hope,—one who stands aloof from all personal obligations, who has no friends to favor, and no enemies to punish. We desire to present the name of a man who has, in all his actions, thrilled our hearts with his gallantry and courage, and confirmed our faith by his devoted zeal for the Constitution and the Union.

. . . In behalf of the Democratic delegates of Massachusetts, who hold their seats in this hall, I name as your candidate for the presidency of the United States, John C. Breckenridge, of Kentucky." [Applause.]

The nomination was seconded by Mr. Denny, of Pennsylvania.

Mr. Ward, of Alabama, presented the name of R. M. T. Hunter, of Virginia.

Mr. Ewing, of Tennessee, said in presenting the name of Dickinson, of New York: "Everywhere he has fought our battles. He lives where the Democratic party can only reach him through a national convention."

The name of Gen. Joseph Lane, of Oregon, was presented by Mr. Stevens, of Oregon.

Mr. Matthews, of Mississippi, said: "The State convention, in appointing us delegates, gave an expression of opinion in regard to the selection of a candidate for the presidency. They in-

structed us to present to the Democratic National convention the name of one of her most distinguished sons for that position—a name not unknown to history—the name of a gallant son whose name is connected with the most gallant deeds of the army of the United States—the distinguished orator, statesman, and lawyer, Jefferson Davis. [Applause.] But, with the concurrence of that distinguished individual, the Mississippi delegation have determined, for the sake of harmony, for the sake of peace, for the sake of principle, to withdraw that distinguished name.” [Cries of “Good, good,” and applause.]

In the same spirit of peace and principle, the names of the other candidates were withdrawn.

On the first ballot Mr. Breckenridge received all the votes cast, amounting to 105½.

President Cushing, amidst immense applause, declared Mr. Breckenridge the unanimous choice of the convention for President.

For Vice-President, Mr. Green, of North Carolina, put in nomination Gen. Joseph Lane, and it was seconded by C. L. Scott, of California.

No other name being presented for the office, the States were called and they voted unanimously for Gen. Lane. The nomination of Vice-President was then announced.

Yancey, being loudly called for, stepped on the platform.

The flow of thoughts with Mr. Yancey was like the flow of a majestic river (an Amazon moving between banks like those of the Hudson), and his expression of them was in tones as melodious and thrilling as those of a band of fine music, and in words such as fell from the lips of perhaps no other man—they were certainly not surpassed in ancient times by Demosthenes, Cicero, or Hortensius, nor in modern by the Earl of Chatham, Patrick Henry, Webster, or Mr. Clay. The recollection of him as a great orator that has survived to this time is well founded in fact. He was a true patriot, a fearless champion of the cause of constitutional liberty, and was justly idolized by the Southern people. In his speech before the Baltimore convention he vehemently disclaimed being a disunionist at that time. He said he had been, ten years before, when the Constitution had been violated by the admission of California into the Union, when the principle of

squatter sovereignty had been recognized, and when the bringing of slaves into, or taking them out of, the District of Columbia, for the purpose of sale, had been prohibited by congressional legislation—the latter act initiating the policy of abolition; but that his state (Alabama) had then chosen to remain in the Union, and that, bowing to her decision, he had since that time urged no measure even remotely contemplating disunion, but had bent every energy of heart and brain to preserve the existing Federal compact in the only way it could be possibly preserved, viz., by all parties thereto living up to its terms, in letter and spirit. The accusation that he had been urging his friends to disunion, and to the disruption of the Democratic party, was, said he, utterly false. “I am, however,” said Mr. Yancy, “no worshiper at the shrine of the Union. I am no Union shrieker. I meet great questions fairly, on their own merits. . . . I am neither for the Union, nor against the Union. . . . I urge, or oppose, measures upon the ground of their constitutionality and wisdom, or the reverse. When the government confessedly becomes a failure so far as the great rights of the equality of the States and of the people of the States are concerned, then its organization is but an instrument for the destruction of constitutional liberty; and, taking lessons from our ancestors, we should overthrow it. . . . By a certain rule adopted at Charleston, known as the unit rule, a minority of the Democratic party were enabled to control the votes of a majority of those present. The principles of the Democratic party, as unanimously reported and adopted by this body, were voted down by means of that same rule, by a vote of 165 to 138, as the real sentiments of the Democratic party, at Charleston, while in fact that platform was the choice of a majority—say of 159 to 144. . . . And, tell me, what other name can be given a body thus constituted, destroying the great representative rule of the majority by means of a trick, and thus controlling the deliberations of the Democratic party; tell me, what other name shall I give them, for I wish to give them only the name that properly belongs to them? *Can I give them any other name than the name by which they will be damned to immortality—the name of a reckless political faction!*” [Applause.]

Referring to the fact that the delegates of eight States were

driven out of the convention at Charleston by the rejection of Democratic principles, and to the fact that these delegates were sustained by their home people, who, in a spirit of harmony, desired them to return to the convention at Baltimore to make another effort for reconciliation on principle, in order that the country, the Democracy, and the Constitution might be preserved. Mr. Yancey said: "We came here in good faith for that purpose. . . . The convention" (at Richmond, Va., called by the withdrawing delegates after leaving the Charleston convention) "reiterated no platform, lest it might be deemed a dictation to the convention here; but it organized temporarily and adjourned. We came here, and how have we been received? By reason of eight Southern States having retired, leaving only twenty-five States represented on the committee, the Douglas faction had control of the committee on credentials, and, against every usage and principle of the Democratic party, the bogus delegates from Alabama and Louisiana were admitted, and the regular representatives of the Democracy of each of these States were rejected."

Mr. Yancey charged Mr. Douglas with bad faith as to Kansas and the Dred Scott decision, as he then held, contrary to his former position, that the people of a territory had the power to make it free or slave, as they thought proper; "this last enunciation, too," said Mr. Yancey, "in the face of the decision of the Supreme Court on the Kansas act.

"An assertion of the principle of nonintervention was first insisted upon for the reason that our friends could not agree as to squatter sovereignty," said he, "but the Federal Supreme Court having decided that Congress has the power, coupled with the duty, to protect rights of person and property in the territories, this doctrine of nonintervention becomes null and void, and the doctrine of protection takes its place, as emphatically and fully as if written out in the Kansas act. The South has the benefit of the opinion of the court, and is not wrong in insisting on receiving a *full acknowledgment* of its decided constitutional right in this particular. If there are any traitors,—any repudiators of the Kansas decision,—any faithless to the Cincinnati platform,—they are not to be found in our ranks.

"I will let Mr. Douglas rest where his friends have placed him;

contending, however, that they have buried him, to-day, beneath the grave of squatter sovereignty. The nomination that was made (I speak it prophetically) was made to be defeated, and it is bound to be defeated. [Applause.] His friends themselves, unconsciously, doubtless, but truthfully, in most mournful and lugubrious strains, heralded him to the political grave that awaits not only them but him." [Applause.]

After naming our nominees, giving a sketch of the political career of each, and glowingly eulogizing each in turn, Mr. Yancey said in conclusion:

"The talismanic words 'Breckenridge and Lane' will be inscribed upon our banners, and we will bear them onward to victory, if God wills; not as emblems of party, or personal success, but as words indicative of our regard for and determination at all hazards to uphold and abide by what are far dearer to us and of far more value to the whole country—Truth, Justice, and the Constitution." [Loud and prolonged applause.]

President Cushing was tendered the thanks of the body for the able manner in which he had presided over the deliberations of the convention.

Amid great applause and cries of "Cushing! Cushing!" Mr. Cushing stepped forward and said: "Gentlemen of the Convention—I beg you to accept the expression of my heartfelt acknowledgment of your thanks. I do not intend to say anything more except to congratulate you upon the most felicitous and auspicious termination of your labors, both in the adoption of your platform and in the nomination of your candidates."

Mr. Cushing was then by resolution, authorized to appoint committees, after the adjournment of the convention, to look after the campaign and take whatever other action might be found necessary for the promotion of party success.

Thanks were next tendered to the local committee for providing accommodations, and to the citizens of Baltimore for their hospitality.

The national executive committee were authorized and requested to publish the proceedings of the National Democratic convention, from its organization at Charleston to its adjournment in Baltimore.

These and other minor matters being disposed of, the conven-

tion, on motion, adjourned sine die and took its place in history, a place that has been obscured by later partisan writers, but is now coming to be properly understood—a place among the great assemblages of freemen that have met in the course of the history of the English-speaking race to voice the will and take action for the defense of the liberties of the people.³²

³² It may be well to state here, in evidence of the regularity of our proceedings, that ex-President Pierce and President Buchanan both supported the Breckenridge ticket.—Ed.

CHAPTER SEVENTEEN.

Anti-Democratic Politics — Constitutional Union Convention — Bell Nominated — Platform — Houston Announces as the People's Candidate for President — Lincoln and the Republican Party — The Feeling in Texas Over Lincoln's Election — The Secession Convention — Texas Joins the Confederate States — The Committee on Public Safety — Failure of All Peace Overtures from the South — War Begins.

In the interval between the Charleston and Baltimore Democratic conventions the Constitutional Union party held a convention at Baltimore.

The convention was called to order by John J. Crittenden on May 9th.

Washington Hunt, of New York, was elected chairman. Nineteen vice-presidents and eleven secretaries were appointed.

All the States, with the exception of Oregon and South Carolina, were represented.

The platform was a vague and latitudinous declaration in favor of "The Union, the Constitution, and the enforcement of the laws,"—a mere dodge of living issues.

Col. A. B. Norton and John H. Manly, acting in the interest of General Houston, presented themselves at the door of the convention and asked for admittance as delegates from Texas. The chair announced that a delegation from Texas had just arrived and were waiting at the door. Escorted by General Coombs, of Kentucky, they entered the hall amidst the cheers of the convention. General Coombs introduced Norton as the man with hair on his face and head, who had sworn twelve years before not to have his hair or beard cut until Henry Clay was elected President.

While General Coombs evidently considered the making and keeping of this oath a credit to Norton, it is more than probable that Mr. Clay would have regarded it as anything but a compliment to himself.

"When Prentice, the editor of the *Louisville Journal*, praised Jackson very highly," said the *Telegraph*, "our friend Tom Lubbock swore that the old hero's bones rattled so loud in their

coffin that he heard them all the way to Texas." If the bones of Jackson rattled under such circumstances, we can imagine a cold shiver of disgust upon the part of Mr. Clay looking down from his bright abode upon the Constitutional Union convention.

The leading candidates put forward before the convention for the presidential nomination were Sam Houston, John Bell, and John J. Crittenden.

On the first ballot Houston received 57 votes, Bell 68½, Everett 25, McLean 22, Graham 27, Sharkey 6, Crittenden 28, Goggan 3, Bates 9½, and Rives 3.

On the second ballot, many weak candidates having dropped out, John Bell, of Tennessee, was nominated for President and Edward Everett, of Massachusetts, for Vice-President, both by acclamation.³³

Early in May (after the Baltimore convention) a mass meeting was held on the San Jacinto battlefield to promote Houston's candidacy, and Mr. Manly informed the General that he was recommended by that meeting "to the nation, as the people's candidate for the presidency at the next election." To which Houston replied, that if the independent masses of the country deemed his name important in connection with the presidency, they had a right to use it. He concluded thus: "I have noticed in the proceedings of the late Baltimore convention that my name was submitted to that body and balloted for. Justice to myself compels me to say that, while I appreciate the regard manifested for me by the numerous gentlemen who voted for me on that occasion, the use of my name was entirely unauthorized by me, and opposed to my well-known opinions."

Houston had said in the preceding March: "If my name should be used in connection with the presidency, the movement must originate with the people themselves, as well as end with them. I will not consent to have my name submitted to any convention, nor would I accept a nomination if it were tendered me, procured by contrivance, trick, or management. The people alone have the nominating power, as they have that of election."

³³ The small vote cast for the Constitutional Union candidates affords another illustration that ills in the body politic can not be cured by "glittering generalities."—ED.

It would be curious to know how the people at large could make a nomination save through the agency of a convention. But, such is politics!

The declarations made by General Houston in March were merely tentative.

Upon being formally notified of the proceedings of the San Jacinto mass meeting, he wrote the following letter:

"AUSTIN, TEXAS, May 24, 1860.

"D. D. H. Atkinson and J. W. Harris:

"Gentlemen—In reply to your letter of the 14th instant, I will say that I have responded to the people at San Jacinto and consented to let my name go before the country as the People's candidate for President.

"In yielding to the call of my fellow-citizens of Texas in June last to become a candidate for Governor, I said: 'The Constitution and the Union embrace the only principles by which I will be governed, if elected. They comprehend all the old Jackson National Democracy I ever professed or officially practiced.'

"These have ever guided my actions. I have no principles to announce. Thine truly,

"SAM HOUSTON."

A. D. McCutchan, editor of the *Red Land Express*, published at San Augustine, claimed in the issue of his paper of January 23, 1860, that great mass meetings were being held in New York City, advocating Gen. Sam Houston as their choice for President, and that on the platform at one of these meetings a large portrait of the general was displayed, with the following inscription:

"For President, General Sam Houston. An honest man no party platform needs, He follows right and goes where justice leads."

McCutchan gave the following as an extract from the resolutions adopted: "We declare our opinion that Gen. Sam Houston, of Texas, is pre-eminently the right man for the present times, when our whole country is disturbed by the schemes of agitators, corrupt conventions, traitors, and partisan demagogues; and that responding to the sentiments of our fellow-citizens of Texas, as

expressed on the battleground of San Jacinto, we hereby nominate by acclamation, for President of the United States, the veteran statesman, the tried soldier, the incorruptible citizen, Gen. Sam Houston, of Texas."

It becoming apparent in September that there was no prospect of a successful issue to his canvass, General Houston withdrew from the race, making the announcement in a card, in which he said: "I desire to see Texas present a united front against the effort to maintain here a sectional party, and to this end I desire to say that it is my wish that the electors associated with my name shall be perfectly free to cast the electoral vote of Texas for any national man most likely to defeat either sectionalism or disunion." This "national man" was supposed to be, in the mind's-eye of General Houston, either Bell or Douglas, while Lincoln stood for sectionalism, and Breckenridge for disunion.

Abraham Lincoln³⁴ was the Republican nominee for President on a platform of implacable hostility to slavery. This was indicated by its eighth plank, which reads as follows:

"That the normal condition of all the territory of the United States is that of freedom; that, as our republican fathers, when they had abolished slavery in all our national territory, ordained that 'no person shall be deprived of life, liberty, or property without due process of law,' it becomes our duty by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any territory of the United States."

From this it was clear that the Republicans held that a territory could not establish African slavery in its borders, even if a majority of the people desired it.

This was a declaration that the differences between the North and the South were irreconcilable.

³⁴ Mr. Lincoln was comparatively an obscure man in 1860—too obscure to be asked to sign an indorsement of *Helper's Impending Crisis*, a book which advised the immediate and total abolition of slavery in the South by revolutionary measures. By signing a written recommendation of this incendiary book as a Republican campaign document Mr. Seward probably lost the Republican nomination for president.—ED.

It is true that another plank of the platform went on to "denounce the lawless invasion by armed force of the soil of any State or territory, no matter under what pretext, as among the gravest of crimes,"—but it was well known that the supporters of this resolution sympathized with John Brown in his raid on Harper's Ferry, and that therefore the declaration was insincere and intended to deceive. It was undeniable that John Brown had a large following in the North; and if they were not the supporters of Mr. Lincoln, of whom were they? Certainly not the Democrats. It was believed, and reasonably so, that, in the event of Lincoln's election, these John Brownites would feel licensed to raid at will on the Southern States, and that Northern public sentiment would sustain them.

I returned through Washington to Virginia and rejoined my wife at the Blue Sulphur Springs, where we remained during the summer. It was not till October that we found ourselves, much invigorated in health and strength, again at the old homestead on Sims' Bayou, but not in quiet and happiness, for men have seldom lived in more portentous times.

Judge J. H. Reagan, in a letter to Geo. W. Paschal, dated Palestine, October 19, 1860, said, among other things:

"The plan of action that I would recommend to meet such an emergency is this: That if Lincoln should be elected, as soon as that fact shall be ascertained, for the Governors of all the slave-holding States to convene all the Legislatures at once, for the purpose of enabling them by law to provide for State conventions. And that said State conventions should provide for a general convention of delegates from all the States aggrieved. And this general convention should present to the free States propositions requiring a renewal of the original guaranties of the Constitution in favor of our rights, in such specific form as to settle forever the question as to the extent and character of the rights of the slave States and of the owners of slave property."

Hon. Guy M. Bryan said, in part: "I do not hesitate to say that, if Lincoln should be inaugurated without new and efficient guaranties being given by the Northern to the Southern States, in my opinion Texas could not within honor remain in the Union. She could not remain there in safety."

Abraham Lincoln was elected by the votes of the eighteen free

States. In the electoral college Douglas received the votes of Missouri and part of New Jersey, twelve in all; Bell carried Kentucky, Tennessee, and Virginia, with their thirty-nine votes; while Breckenridge won in all the other States, receiving their seventy-two votes. Lincoln received 180 electoral votes, which, being a majority, would make him president.

The popular vote stood: Lincoln, 1,857,610; Douglas, 1,365,976; Breckenridge, 847,953; Bell, 590,631 votes.

The election of Mr. Lincoln as President was accepted by the people of the cotton States as conclusive evidence of the settled purpose of the Northern people to overthrow our domestic institutions. Then secession began in order to save the imperiled domestic tranquillity of these States. It was not generally believed that our withdrawal from the Union would be forcibly resisted by the Lincoln government, as the doctrines of secession and nullification were both of Northern origin. Besides, the analogy of history pointed to a peaceful separation; for the confederacies of Colombia and of Central America had dissolved without bloodshed. Surely our countrymen were more civilized and humane than the Indo-Spaniards, and *we* were determined not to fight unless to prevent the domestic violence consequent on submission to Republican rule.

In response to a letter from Huntsville, dated November 14, 1860, signed by H. M. Watkins, P. W. Kittrell, Robert P. Archer and sixty-two others, asking for his views on the crisis, Governor Houston wrote: ". . . As the chief executive of the nation, Mr. Lincoln will be sworn to support the Constitution and execute the laws. His oath will bring him in conflict with the unconstitutional statutes enacted by his party in many of the States. . . . Should he falter, or fail, by allowing the laws to be subverted, and in oppressing the people of the South, he must be hurled from power. . . . He has declared the fugitive slave law to be unconstitutional. When we must choose between the loss of our constitutional rights and revolution, I shall take the latter. . . . Mr. Lincoln has been constitutionally elected, and, much as I deprecate his success, no alternative is left me but to yield to the Constitution. . . . When I contemplate the horrors of civil war, such as a dissolution of the Union will ultimately force upon us, I can not believe that the

people will rashly take a step fraught with these consequences. . . . Let us pause and ponder well before we take any action outside of the Constitution."

History tells us how much Houston was opposed to secession in 1860. His judgment then was all against it; but he had not previously done much to educate the Texans against the doctrine.

It was well known how he had stood up to our rights as a State on more than one occasion in the United States Senate, and at one time, when Texas was more especially interested, he made a very plain talk about our getting out of the Union and taking care of ourselves in our own way. I give an extract from his speech favoring the establishment of a protectorate by the United States over Mexico, delivered in the United States Senate April 20, 1858:

"Whenever one section of the country presumes upon its strength for the oppression of the other, then will our Constitution be a mockery, and it would matter not how soon it was severed into a thousand atoms and scattered to the four winds.

"If the principles are disregarded upon which the annexation of Texas was consummated, there will be for her neither honor nor interest in the Union. If the mighty, in the face of written law, can place with impunity an iron yoke upon the neck of the weak, Texas will be at no loss how to act, or where to go, before the blow aimed at her vitals is inflicted. In a spirit of good faith she entered the Federal fold. By that spirit she will continue to be influenced, until it is attempted to make her the victim of Federal wrong. As she will violate no Federal rights, so she will submit to no violation of her rights by Federal authority. The covenant which she entered into with the government must be observed, or it will be annulled. Louisiana was a purchase, California, New Mexico, and Utah a conquest; but Texas was a voluntary annexation. If the condition of her admission is not complied with on the one part, it is not binding on the other.

"If I know Texas, she will not submit to the threatened degradation foreshadowed in the recent speech of the senator from New York [Mr. Seward]. She would prefer restoration to that independence which she once enjoyed, to the ignominy ensuing from sectional dictation. Sorrowing for the mistake which she had committed in sacrificing her independence on the altar of

her patriotism, she would unfurl again the banner of the Lone Star to the breeze and re-enter upon a national career, where, if no glory awaited her, she would at least be free from a subjugation by might to wrong and shame."

This sounds a great deal like one of Wigfall's expositions of the Constitution. More than two years had elapsed since the delivery of that speech, and Houston now shrank back from his proposed remedy against sectional wrong. In his opinion at this time, no oppression of any character would justify the secession of Texas from the Union.

"David G. Burnet counsels submission to the election of Lincoln and continuing in the Union till the last moment, hoping that the North will awaken to a sense of justice," said the *Texas Republican*, in an editorial paragraph. The *Republican* strongly advocated secession.

In reply to a circular of the *Telegraph*, asking opinions as to the proper measures to meet the crisis after Lincoln's election, I said in part:

"Those who advocate waiting, or remaining in the Union until some overt act is committed so glaring as to warm up those whose blood courses at present so slowly through their veins, will find, when that time arrives, that through the great patronage and insidious workings of a Black Republican administration, there will have been mustered into existence in our own midst a class of seditious men of sufficient numbers in some localities of the South to bring on civil war and bloodshed among ourselves.

"These results I would avoid, and I believe that secession is the remedy.

"From conversation had, and correspondence with many, as also from observation during my recent visit to some twelve States of the Union, I feel assured that Mississippi, Alabama, Florida, South Carolina, Georgia, Arkansas, and probably other States, will take immediate action should our country be cursed by the election of a Black Republican.

"I think Texas should be no laggard. She has as much at stake as any of her sister States."

At a public meeting in Marshall it was resolved, "that the election of Abraham Lincoln to the presidency of the United States is a violation of the spirit of the Constitution, and should be re-

sisted by the States." The Lone Star flag was hoisted, and W. B. Ochiltree spoke in its behalf. "The crisis," said he, "is upon us and must be squarely met, when equality of rights is denied to my section, and let us quietly but determinedly resolve to 'take up arms against a sea of troubles, and, by opposing, end them.'"

Hon. J. M. Clough, another speaker at the meeting, delivered a most eloquent address, expressing himself in favor of resistance to the election of Lincoln. Hon. Eli H. Baxter followed in the same strain. Jas. Turner, a fiery orator, advised resistance to Lincoln. Hon. Pendleton Murrah was calmer, but firm in the conviction that the crisis had come and the Southern people had to meet it.

The meeting finally advised the calling of a convention to determine the status of Texas as to the Union; but recommended caution, prudence, and calm deliberation in our future conduct.

Pendleton Murrah believed that the State ought (after declaring her intentions through a convention) to seek conferences with the other Southern States, and omit no effort to secure united action among them. "It might be," said he, "that united action among the Southern States would secure from the Northern States no satisfactory guarantees for the future. . . . If these [efforts] all fail, it will be admitted that the last battle, on the last inch of territory, has been fought for the rights and equality of the Southern States in the Union; and that the gloomy alternative is distinctively presented them of submitting to Black Republican rule, a slow but certain death, or of rejecting that rule as she [Texas] would reject a deadly poison."

E. Greer advised action with a view to secession, saying: "A more consummate piece of folly could not be committed than to wait for the North to inaugurate her withering, dishonoring, and diabolical policy. The overt act has been committed [in Lincoln's election]. Let the South speak out, or forever hold her peace." In anticipation of the secession of South Carolina, he tendered Governor Pickens, of that State, the services of a mounted regiment of Texas volunteers.

Alluding to efforts being made to amicably adjust sectional differences, Mr. Wigfall wrote from his seat in the United States Senate to a friend, under date of December 7, 1860: "The proposition to settle the question by further amendments amounts to

nothing and is intended to produce division among us. The North will not yield an inch. They will not give us what we are now entitled to; they will not agree to leave us what we have."

South Carolina, my native State, was the first to secede, and was soon followed by Mississippi, Alabama, Georgia, Florida, and Louisiana.

Commissioners from these sovereign bodies politic met at Montgomery, Ala., and entered provisionally into a new compact, the new, and, it was hoped, better union to be known as the Confederate States of North America. The people of Texas were allied to those of the seceding States by the ties of blood, consanguinity, common interests, and common institutions, and when South Carolina declared herself out of the Union the news was received in Texas as a final announcement that the time for separation from the Northern States had arrived, and aroused a wave of enthusiasm that rolled from the Sabine to the Rio Grande and from the Indian Territory to the Gulf.

Governor Houston, strongly in favor of prolonging our stay in the Federal Union, refused to call an extra session of the Legislature until compelled to do so by the overwhelming pressure of public opinion.

A still higher body than the Legislature, restricted as it was by constitutional limitations, was needed to determine and carry out the will of the people, and a convention with plenary powers was therefore called by Judge O. M. Roberts and other leading men to assemble at the capital and take whatever action might be decided upon as needful in the impending crisis.

The Legislature convened at Austin, January 21, 1861, in obedience to Houston's call, and he sent in to the two houses a message in which he said that the election of Mr. Lincoln, deplorable as it was, did not warrant the secession of Texas from the Union. As well as can be determined from this document, he favored the calling of a convention of delegates from the slave holding States to discuss the situation and devise such means and take such action as might be found necessary to the protection of the rights of those States in the Union.

The message was respectfully received, read, commented upon pro and con, and filed away amid the archives of that generation, now long since passed away. Its suggestions were impracticable.

The stormy current of events had swept far past the point where it could have commanded serious consideration. The sole interest that now attaches to it is as the last utterance of Houston in favor of the Union.

The convention met January 28, 1861, and perfected organization by electing Justice Oran M. Roberts president and R. T. Brownrigg secretary. The sessions of the body were attended by the Governor, members of the Legislature, Justices of the Supreme Court, heads of State departments, and distinguished personages from all parts of Texas.

After several days spent in debate, the secession ordinance was reported and adopted February 1st, by a vote of 167 ayes to 7 nays.

The negative votes were cast by Thos. P. Hughes, of William-son; Wm. H. Johnson, of Lamar; Joshua Johnson, of Titus; A. P. Shuford, of Wood; Jas. W. Throckmorton, of Collin; Lem Williams, of Lamar, and Geo. W. Wright, of Lamar. The ablest of these was Mr. Throckmorton, who, in later and darker days, rendered patriotic services and greatly endeared himself to the people of Texas.

In the preamble of the ordinance to dissolve Texas' connection with the Union, it was claimed that the Federal government had failed to accomplish the purposes of the compact of Union between the States, not having given protection either to the persons of our people upon an exposed frontier or to the property of our citizens, and that the attitude assumed by the Northern States, in the light of recent developments, made it evident that the power of the Federal government would be made a weapon with which to strike down the interests and prosperity of the people of Texas.

As an original question, secession, perhaps, would have failed to carry in Texas; but, the six leading cotton States having already resorted to an exercise of the right, banded themselves together in a new confederation, and formed a new government. Texas was apparently confronted with the alternatives of becoming a party to the new compact, remaining in the Union, or resuming her sovereignty as a separate republic. Had she desired to desert her sister States of the South in this hour of need and peril (which she did not) and resume her former station as a

republic, it was realized that she could not preserve a neutral attitude and maintain herself in that condition. The idea of remaining in the Union, and thereby arraying herself with the avowed enemies of the South, was not to be thought of. The course that was adopted was the only one that was open to her.

Nor was she withheld from it by sentimental considerations. The Northern States generally sympathized with our Mexican enemies in our struggle for independence and opposed our admission into the Union, Massachusetts going so far (by legislative resolution) as to declare the annexation of Texas, ipso facto, a dissolution of the Union. Our people really preferred to fight Massachusetts rather than Louisiana, if fighting should become necessary.

While she might have cheerfully taken part in further efforts to preserve the Union, if her sister States of the South had co-operated therein, and while she might have preferred such action, yet, when they put fortune to the hazard by separation, and she had to go with them or their enemies, she turned to them as naturally, promptly, and unalterably as the needle to the pole.

John H. Brown, of Bell; Pryor Lea, of Goliad; Malcolm D. Graham, of Rusk; George Flournoy, of Travis, and A. P. Wiley, having been appointed a committee for that purpose, prepared a declaration setting forth the causes that impelled the State of Texas to secede. This was reported to and adopted by the convention, February 2d.

"The States of Maine," says the declaration, "Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Ohio, Wisconsin, Michigan, and Iowa, by solemn legislative enactments, have deliberately, directly or indirectly, violated the third clause of the second section of the fourth article of the Federal Constitution, and laws passed in pursuance thereof, thereby annulling a material provision of the compact, designed by its framers to perpetuate amity between the members of the confederacy and to secure the right of the slave holding States in their domestic institutions,—a provision founded in justice and wisdom, and without the enforcement of which the compact fails to accomplish the object of its creation. Some of these States have imposed high fines and degrading penalties upon any of their citizens, or any of their officers, who

may carry into effect in good faith that provision of the compact, or the Federal laws enacted in accordance therewith.

“‘Nullification Laws.’—Under this head the Ledger of Tuesday cites the acts passed by thirteen of the Northern States, in contravention of the fugitive slave law and of that section of the Constitution which requires their rendition to their owners. The States whose legislative acts are thus cited are: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Ohio, Michigan, Illinois, Indiana, Iowa, and Wisconsin. . . .

“‘The Fugitive Slave Law.’—They have proclaimed, and at the ballot box sustained, the revolutionary doctrine that there is a ‘higher law’ than the Constitution and laws of our Federal Union, and, virtually, that they will disregard their oaths and trample upon our rights. They have for years past encouraged and sustained lawless organizations to steal our slaves and prevent their recapture, and have repeatedly murdered Southern citizens while lawfully seeking their rendition. They have invaded Southern soil and murdered unoffending citizens, and through the press, their leading men, and a fanatical pulpit, have bestowed praises upon the actors and assassins in these crimes, while the Governors of several of these States have refused to deliver parties, implicated and indicted for participation in such offenses, upon the legal demands of the States aggrieved.”

As shown by the above, the chief wrongs complained of were the action of the States nullifying the fugitive slave law, the doctrine of “higher lawism,” and the general approval in the North of the John Brown raid. We thought once that slaveholders had some rights in the territories, but the idea was scouted now in the North. The struggle had narrowed down, with the slave States, to one for existence.

The following were chosen as the representatives of Texas in the Congress of the seceding States at Montgomery: Our former United States Senators, John Hemphill and Louis T. Wigfall; John Gregg, Wm. B. Ochiltree, W. S. Oldham, John A. Wilcox, and F. B. Sexton, and they set out at once for the Confederate capital.

The convention submitted the question of secession to a popu-

lar vote, and after appointing a committee of public safety and investing it with plenary powers to act in the interim, the convention adjourned February 4th to reassemble on the 2d day of March, the twenty-fifth anniversary of the natal day of Texan independence.

Houston issued an address to the people in which he said: "I protest, in the name of the people of Texas, against all the acts and doings of the convention, and declare them null and void."

The committee of public safety consisted of the following gentlemen:³⁵ Judge Jno. C. Robertson, of Smith, chairman; Jas. Rodgers, of Marion; A. T. Rainey, of Anderson; J. R. Armstrong, of Rusk; W. P. Rogers, of Harris; J. M. Norris, of Coryell; T. J. Devine, of Bexar; W. Miller, of Bastrop; J. J. Diamond, of Cooke; C. L. Cleveland, of Liberty; P. N. Luckett, of Nueces; Jno. A. Green, of Travis; Jno. Henry Brown, of Bell; J. G. Thompson, of Fannin; Jas. Hooper, of Hunt; F. W.

³⁵ Judge John C. Robertson was a native of Georgia, but was raised on his father's plantation in Chambers County, Alabama. He received a liberal education and graduated in the law department of Cambridge University at the time Judges Story and Greenleaf were professors of law in that institution. He moved to Texas in the early part of 1852, and practiced law in Henderson for a short while in partnership with the late Wm. Stedman. He was elected a delegate to the Secession Convention of 1860. He afterwards enlisted in the Confederate army, and was elected lieutenant-colonel of Col. A. W. Terrell's regiment of cavalry. He served through the war and was in all of the battles of the Louisiana campaign. He returned home after the war and resumed the practice of law, associating with him Hon. W. S. Herndon, who was then rapidly rising in his profession. They established a large and extensive practice at Tyler, during which time they had associated with them Judge Sawnie Robertson, Judge Robertson's oldest son, who afterwards became a judge of the Texas Supreme Court. In 1878 Judge Robertson was elected district judge of the old Tyler district, succeeding Judge M. H. Bonner, who was elevated to the Supreme Court. He was again re-elected in 1880 for the full term of four years, and before its expiration he decided to retire to private life, but returned to the practice for a short time afterwards, being associated with Judge John M. Duncan, of Tyler. He died at his home in Tyler in August, 1895, in the 71st year of his age.

Judge Terrell, while highly esteeming Judge Robertson as a man, also greatly respected him for his civic and military abilities. The editor long enjoyed the intimate acquaintance of Judge Robertson, and he mourned his death as that of a very dear friend.—ED.

Latham, of Cameron; Chas. Ganahl, of Kerr; John S. Ford, of Cameron; and my brother, Thos. S. Lubbock, of Harris.

The delicate task of ridding Texas of the United States troops in her borders and providing for the safety of our frontier was assigned to them. A sub-committee, consisting of Messrs. Maverick, Devine, and Luckett, induced Gen. Twiggs, department commander at San Antonio (by negotiation, and the display of force under Ben McCulloch), to surrender the United States government property and to agree to withdraw all the United States troops, numbering about 2600, from the State. This bloodless achievement reflected great credit on the whole committee and their able but prudent chairman, Judge Robertson. These United States troops began to rendezvous at Green Lake, preparatory to embarking for New York, but the war coming on, they were all captured by the force under Maj. Earl Van Dorn, and paroled before being permitted to leave Texas.

During the recess of the convention a part of the committee of public safety held a session at Galveston and dispatched an expedition of four hundred men, under Colonel Ford, with two commissioners, E. B. Nichols and ——— Wetter, to the Rio Grande. En route, Ford captured Brazos Santiago and a small Federal garrison at Brownsville, and United States authority ceased on the lower Mexican border. A month or so after this Colonel Ford campaigned in this section with a part of the regiment given him by the convention, while the other part, under his lieutenant-colonel, John P. Baylor, occupied El Paso.

The convention provided that this regiment of mounted volunteers should continue under State control till received into the Confederate service. Edwin Waller was Ford's major.

The popular vote stood 39,415 for and 13,841 against the ordinance of secession.

The secession convention reassembled March 2, canvassed the returns, and announced the result, and on the 4th passed an ordinance uniting Texas with the Confederate States of America; and further ordained, that the delegation theretofore appointed to the Congress of the Confederate States be authorized to act in said Congress as the duly accredited representatives of Texas. But the permanent Constitution adopted by the Con-

gress was not to become obligatory upon Texas until approved in some satisfactory way.

A copy of the permanent Constitution of the Confederate States having been forwarded to Austin by our delegate at Montgomery, the convention, after due consideration, proceeded to adopt it by a vote of 128 in favor of to 2 against it. As all the good features of the old United States Constitution were retained in the new Confederate Constitution, with some additional guaranties of the rights of the States, it was not deemed advisable to defer its adoption by referring it to the popular vote. The unionists raised an additional howl at this, seeming to forget, or rather to be ignorant of the fact, that the United States Constitution was adopted by conventions in the original States. If the people ever voted on the Declaration of Independence, I have been misinformed.

Texas having now become a member of the Southern Confederacy by deliberate act of her people, the convention passed an ordinance requiring all State officers to subscribe to an oath to support the Confederate Constitution, fixing March 16th as the time for the observance of that ceremony. On the day and at the hour (12 m.) appointed, all of the State officials took the oath with the exception of Governor Houston, Secretary of State E. W. Cave, and Attorney-General A. B. Norton, who failed to appear.

The convention thereupon declared the offices vacant, and on the 18th Lieutenant-Governor Edward Clark formally entered upon his duties as Governor of Texas.

The convention having completed its labors adjourned sine die on the 26th of March.

The secession convention was undoubtedly composed of the leading men of Texas. A partial list of the names of the members will verify this assertion: Edwin Waller, Amzi Bradshaw, Jno. Henry Brown, Thos. J. Chambers, Thos. S. Lubbock, Jas. M. Maxey, Geo. W. Chilton, Chas. L. Cleveland, Richard Coke, John W. Dancy, Thos. J. Devine, George Flournoy, Spencer Ford, John S. Ford, Chas. Stewart, F. S. Stockdale, B. F. Terry, Nathaniel Terry, J. W. Hutcheson, John Ireland, Thos. J. Jennings, Malcolm D. Graham, Peter W. Gray, John A. Green, Phil. T. Herbert, A. W. O. Hicks, A. M. Hobby, E. B. Nichols, James

W. Norris, A. T. Obenchain, W. B. Ochiltree, W. S. Oldham, A. T. Rainey, John H. Reagan, E. S. C. Robertson, John C. Robertson, Robt. S. Gould, Wm. P. Rogers, John Rugely, H. R. Runnels, Pryor Lea, John A. Wilcox, A. P. Wiley, Allison Nelson, John Gregg, Wm. P. Hardeman, Jerome B. Robertson, Wm. R. Scurry, John A. Wharton, and Joseph L. Hogg. The last seven named became generals in the Confederate army. In the list are also found the names of one ex-Governor and two future Governors, with a brilliant array of names distinguished in all the walks of life, civil and military.

While these exciting events were transpiring in Texas I remained quietly on my ranch, but taking a deep interest in public affairs. Like secessionists generally, I deprecated war; but could now see but little hope of averting it, except by submission to abolition rule.

There were some, however, who believed, or rather hoped, that steps could be devised that would result in the preservation of the Union.

A congressional committee, composed of Republicans and Democrats, was appointed with this end in view, but accomplished nothing, as the Republican members jeeringly and insultingly rejected every proposition submitted and refused to submit any in turn.

The Peace Congress at Washington (presided over by ex-President Tyler) also failed to effect an adjustment of the differences—which is not surprising, in view of the fact that it was boldly avowed on the part of the North there would be no more slave States or rendition of fugitive slaves.³⁶

All that now remained to be done was to effect an agreement between the States remaining in the Union and those retiring from it, for an equitable apportionment of the public debt and division of public property.

The Confederate authorities at Montgomery sent commissioners to Washington for this purpose; but, confident of success in a physical struggle, the Federal government rejected the peaceful solution proffered by the Confederates and began active prep-

³⁶ The Yankee abolitionists appear never to have been honest enough to contemplate emancipation accompanied by compensation to the owners of the slaves, the policy pursued by the British in the West Indies.

arations for war. It was only a question of time when a collision would occur. The occasion soon arose on the attempted reinforcement of Fort Sumter, in Charleston harbor, which the United States government refused to give up on the secession of South Carolina. On learning that a Federal fleet with 2500 men on board had sailed from New York for the purpose of reinforcing the garrison at Sumter, the Confederates opened fire on the fort and compelled its surrender. Thus, by no act of our own, the war was forced upon us. If an enemy advances upon you in a threatening manner with a drawn dagger, you may shoot him down with your pistol before he gets close enough to strike you; and the firing of your pistol would not be the beginning of the fight and you would not be the aggressor. So it seemed to me then, and so it seems now.

The fall of Sumter³⁷ was followed by a call from President Lincoln for 75,000 troops to suppress what he called the insurrection in a certain district. Virginia, North Carolina, Tennessee, and Arkansas immediately withdrew from the Union and linked their fortunes with those of the other Southern States. We had now eleven States and a white population of about 5,500,000. Still, the odds against us were immense,—a population of 22,000,000, a regular army and navy,³⁸ and the prestige of an established government. It is no wonder that Secretary Seward boasted that the Confederacy would be knocked to pieces in less than ninety days.

The most serious aspect of the situation was the unbroken front of the North, that had apparently risen as one man against us. We had never calculated on having to fight a united North. Our Democratic friends had assured us that they would stand

³⁷ The first gun of the civil war was fired in 1859 by John Brown at Harper's Ferry, and Old Glory, then detested by Northern fanatics, was hauled down from the United States fort and trampled upon without ceremony. Northern governors refused to extradite those of Brown's outlaws who escaped to their States.

Such an outrage as the Harper's Ferry affair would undoubtedly be *casus belli* between independent powers. The Constitution had failed to give "domestic tranquillity" to the States in the Union.—ED.

³⁸ The complaints of Yankee writers about their unpreparedness for war appear childish when it is considered that the Confederates did not have a single ship or regular soldier in the winter of 1860-61.

in the breach and give the Republicans enough to attend to at home. Instead of that, however, a majority of them (the war Democrats), under Mr. Douglas, went over boot and baggage to the enemy. This unexpected treachery of the war Democracy in the North revealed to us the magnitude of the struggle awaiting us.

I never took any stock in the rumors of foreign intervention, and I always held that our independence must be won by force of our unaided arms. Our foreign allies in the Revolutionary War, it is true, decided the contest in our favor; but circumstances were different with us. Our peculiar institution was opposed by the civilized world, and there was but little reason to expect help from Europe.

Be this as it may, we were in the war and now had to fight it out, and like true Americans the Confederates rushed to the fray without counting the odds.

CHAPTER EIGHTEEN.

Union Element in Texas—Frank Terry, Tom Lubbock, and Tom Goree at the Front—Compliments for Gallantry at Manassas—Military Operations in the State—Shelling at Galveston—Protest of Foreign Consuls to Captain Alden—My Candidacy for Governor—Dallas Convention—Terry Rangers—Trip to Richmond and First Impressions of President Davis—On My Way Home I Saw Tom for the Last Time.

A small but able faction in Texas, whose acknowledged leaders were the Hancocks (John and George), E. J. Davis, A. J. Hamilton, Geo. W. Paschal, E. M. Pease, A. B. Norton, and Swante Palm, continued steadfast to the Union during the entire war. Outside of this, the white population of Texas supported the Confederacy with practical unanimity.

Immediately after the adjournment of the Secession Convention Tom S. Lubbock and Geo. Goldthwaite journeyed post haste to the then Confederate capital at Montgomery and solicited commissions to raise troops for the Confederate service;³⁸ but their request was not granted, the Secretary of War stating that it would, in his opinion, be unnecessary to organize troops in a State so distant as Texas, that the cost of transportation would be too great, that enough men could be enlisted nearer the scene of actual conflict, and that the war would be of short duration. Tom combatted these opinions with all the eloquence and logic that he could command, but in vain. Somewhat chagrined and indignant, he returned to Texas. After remaining at home a few days he determined to go to Virginia on the front line, nearest the enemy. "I was a member of the convention," said he, "and advocated secession, and I will be in the first battle for the maintenance of the Confederate government."

³⁸ A Houston *Telegraph* correspondent, under date of May 15th, thus writes of the Texans then at Montgomery:

"Among distinguished citizens of Texas now in this city are Hon. Thos. S. Lubbock and George Goldthwaite, Esq., of your city. The former gentleman is without doubt concocting some scheme to the detriment of 'Old Abe's' peace, and that of Yankeedom in general, and, from his well known character, we feel assured that anything he may attempt will be carried out successfully. . . . "

Frank Terry was a member of the Convention, and, like Tom, a fiery secessionist. Together with Tom Goree, they left Houston for Virginia early in June.³⁹

Reaching Virginia in July, they pushed on to the Confederate army near Manassas, sought out General Longstreet, and requested to be assigned to duty. They were well received by the General, who at once assigned Goree to staff duty with himself. This position he held until the surrender, retaining the confidence and esteem of his chief during the entire war; Terry and Lubbock were assigned by General Longstreet to very important scouting duty, and all three had the honor of participating in the battle of Manassas, the first great battle of the war, and rendered valuable service, winning the following favorable mention from General Longstreet in his official report of the engagement: "About an hour after my position was taken, it was discovered by a reconnoissance, made by Colonels Terry and Lubbock, that the enemy were moving in heavy columns towards our left. . . . This information was at once sent to headquarters. . . . Colonels Terry and Lubbock then volunteered to make a reconnoissance of the position of the enemy's batteries. They made a very gallant and complete one and a hasty sketch of his entire left. This information was forwarded to the commanding general with the suggestion that the batteries be taken. The general orders were promptly issued to that effect. . . . Early next day I sent Colonel Terry forward, under the protection of Captain Whitehead's troop, to pick up stragglers, army stores, and other property that had been

³⁹ The *Houston Telegraph* of May 31 said editorially:

"Capt. T. S. Lubbock's guerrillas will leave Houston on or about the 5th of June to participate in the war. They are made up of men expecting to pay their own way. Every man will furnish his own horse and saddle and take with him \$250 in money. About fifty men are now ready. Daring enterprise and bold strokes are in reserve for this company."

June 15th a guerrilla writes from Brashear City, La.: "The guerrillas are composed, so far, of Colonels Terry, Wharton, Goree, and Hatcher, and Captains Lubbock, Conner, et al. We will organize ourselves into a regiment, elect our field officers, and what few captains, non-commissioned officers and privates we may need we will raise after we get to Virginia." The guerrilla regiment spoken of was never raised—ED.

abandoned by the enemy. I have been too much occupied to get the names, or the number of prisoners. . . . Colonel Terry captured the Federal flag, said to have been made, in anticipation of victory, to be hoisted over our position at Manassas. He also shot from the cupola of the courthouse at Fairfax the Federal flag left there. These were also duly forwarded to the commanding general. . . . Colonels B. F. Terry and T. S. Lubbock (of the volunteer staff) were very active and energetic. When unoccupied, they repeatedly volunteered their services to make reconnoissances. They were very gallantly seconded by Captains T. Goree and Chichester, who were also very useful in conveying orders."

In General Beauregard's report is the following commendatory notice:

"It is also proper to acknowledge the signal services rendered by Cols. B. F. Terry and T. S. Lubbock, of Texas, who had attached themselves to the staff of General Longstreet. These gentlemen made daring and valuable reconnoissances of the enemy's positions, assisted by Captains Goree and Chichester; they also carried orders to the field and on the following day accompanied Captain Whitehead's troop to take possession of Fairfax Court House. Colonel Terry, with his unerring rifle, severed from its staff the Federal flag found still floating from the cupola of the courthouse there, and it fluttered to the ground. He also secured a large Federal garrison flag, designed, it is said, to be unfurled over our entrenchments at Manassas."

The day after the battle my friend, General Waul, sent me the following telegram:

"RICHMOND, July 22, 1861.

"To F. R. Lubbock:

"Terry and Lubbock gained laurels in the battle at Manassas. They are unhurt.

T. N. WAUL."

As Terry and Lubbock were known to have been in the battle, this message relieved my mind from anxiety.

Hon. Sam C. Upshaw, now an ex-State Senator of Texas, participated in the battle in a Mississippi command, and it is possible that other Texans were present.

The first call on Governor Clark was for 3000 men, and the next for 5000—to have them in readiness to march on receipt of orders from the Secretary of War. The first Confederate troops to leave Texas were twenty companies of infantry for Virginia. Our northern border was cleared of enemies by Col. W. C. Young, who, with his regiment, crossed Red River in May, captured Fort Arbuckle, drove the United States troops out of the Indian Territory into Kansas, and secured by treaty the friendship of the Choctaws and Chickasaws. Our coast cities were all open to attack. The old San Jacinto veteran, Gen Sidney Sherman, repaired to the coast under orders from the Committee of Public Safety to look after the fortifications of Galveston. Sand banks along shore constituted too feeble a defense to resist an enterprising enemy like ours. The only guns on hand with which to man regular works were a few cannon and some munitions of war captured at Brazos Santiago. Before anything could be done of material benefit, General Sherman was relieved from his arduous position by the Confederate officer, Capt. Jno. H. Moore,⁴⁰ from New Orleans, who proceeded in April, 1861, to fortify Galveston as best he could, putting such cannon as he could procure on truck-carriages and hewn timber platforms behind sandbag breastworks. The captain next raised a company of Confederate troops to man the batteries, and did much to inspire confidence. The cannon taken at Fort Clark were also utilized in coast defenses, under the direction of a Confederate engineer sent out by President Davis.

When it was known in Galveston that the United States troops were about to embark at Indianola a call was made for volunteers, and about seventy men responded. This force at once sailed for Pass Cavallo on board the Matagorda. At Saluria the troops were transferred to the General Rusk.

At midnight the Rusk was hailed by the United States ship *Star of the West*, lying outside the bar (off Pass Cavallo) in deep water and waiting for the transport *Fashion* to bring out the Federal troops from Indianola.

Capt. Leon Smith answered: "The General Rusk with troops on board. Can you take our line now?"

⁴⁰ Colonel Moore was made commandant of Galveston Island by General Hebert in the following October.

"Certainly," replied Captain Howe from the quarter-deck of the Federal vessel. He then asked why the Fashion had not brought the troops, and was told that the Rusk had brought out the first installment and the Fashion would be along in a few hours with the rest of the troops and their baggage.

Captain Howe hardly had time to look at them before they presented bayonets, and their officer commanded him to surrender.

"To what flag am I requested to surrender?" he asked.

Ensign Duggan of the Wigfall Guards thereupon stepped forward with the lone star flag of Texas, and said in his richest brogue: "That's it! Look at it! Me byes, did ye ever see the Texas flag on an Irish jackstaff before?"

The Yankee captain had been fairly caught in a trap from which extrication was impossible, and, seeing that resistance would be useless, he surrendered with the best grace he could, himself, his crew of forty-two men, and his vessel. The captured cargo consisted of 900 barrels of provisions, which proved a very timely and welcome addition to the larder of our troops. The Star of the West was convoyed to Galveston, but being of too heavy draft to cross the bar, was taken to New Orleans and delivered to the Confederate States naval authorities.

The extension of Lincoln's blockade to the Texan coast brought the usual discomforts, interruptions of trade, and actual loss of property incident to such a state of siege.

It being reported July 9, 1861, that a steamer had been sighted in the gulf off Galveston Island, Captain Chubb, with his pilot boat, the Royal Yacht, accompanied by Col. J. S. Sydnor, sailed out to ascertain her character and the object of her visit.

Displaying a white flag, Captain Chubb and Colonel Sydnor were assisted on board the steamer, and a friendly conversation ensued. They were told that the steamer had come to blockade the port and was the Federal ship of war, South Carolina, from Charlestown, Mass., commanded by Captain Alden. Captain Alden said that it was his desire to have a friendly intercourse with the citizens, many of whom he hoped were for the Union. When told by Captain Chubb that there were no Union men in Galveston, he expressed his surprise and regrets. "Great God!" said

he, "Is it possible that you have really none among you who are still loyal to the government of our fathers?"

Further conversation disclosed the fact that he and Captain Chubb were natives of the same city, and were well acquainted with each other's families. This gave a pleasant turn to the talk, and Alden expressed a desire to receive friendly visits from the citizens, and especially from General Houston. Being told that General Houston was no longer a Union man, he again expressed surprise and regrets.

The South Carolina was a propeller, 270 feet long, three 42-pounder guns in each broadside, a swivel gun, several smaller pieces forward and aft. Alden said he would allow neutral vessels five days in which to leave the port. Later the South Carolina suddenly and unexpectedly steamed into the harbor, seized five small vessels, including the yacht Dart and the sloops Shark and Falcon, and put to sea. She returned August 3d, accompanied by the Dart (converted into a war vessel). The Dart came close inshore, fired a few shots, and retired. The next day the South Carolina made her appearance in a menacing attitude abreast the Confederate defenses, and was fired on by the Galveston batteries. The shots from the vessel were directed at the batteries, but were thrown at such an elevation as to leave no doubt of the wanton intention to destroy the town. Several of them fell and exploded a distance of half a mile from the fort, in town, a large piece of shell falling near the public square. Some went over the east side of the city, but did no damage. One shell exploded in a garden about a quarter of a mile in the rear of the batteries. Sixteen shots from the steamer were replied to by fourteen from the batteries, the only casualty on shore being the killing of an Italian or Portuguese noncombatant. After the seventh shot the steamer kept shifting her position to destroy the accuracy of our fire, and after our twelfth shot she began working her way toward the channel, and soon thereafter was in full flight, making her way to the protection of the gulf under all the steam she could carry. The engagement lasted about half an hour. The South Carolina resumed her position outside the bar to prevent the ingress or egress of vessels.

The Houston *Telegraph* said: "We learn that our friend Cave, of the *Civilian*, acted during the bombardment at Galves-

ton on Saturday evening as volunteer aide to Colonel Moore, and bore his orders on horseback from battery to battery under fire of the enemy. He remained with Colonel Moore until the close of the firing. With the modesty that is so admirably characteristic of him, he passes over the part he bore in the affair altogether without notice in the minute account published by him in the *Civilian*."

Under date of August 5th, the foreign consuls stationed at Galveston addressed a formal note of protest to Captain Alden, in which they said: "The undersigned consuls and vice-consuls at Galveston consider it their duty to enter their solemn protest against your bombardment of this city on the evening of the 3d inst., without having given any notice so that the women and children might have been removed; and also against your firing a shell into the midst of a large crowd of unarmed citizens, among whom were many women and children, causing thereby the death of an unoffending Portuguese, and wounding boys and peacefully disposed persons, as acts of inhumanity unrecognized in modern warfare, and meriting the condemnation of Christian and civilized nations." The note was signed, among others, by Arthur Lynn, British consul, and the consuls for France, Spain, Belgium, Holland, Austria, and Prussia.

In reply Alden claimed that he had been fired on first (a lame excuse, had it been true, as he had forced the fire), and, continuing, said: "You protest against my firing a shell into a crowd of unarmed citizens, among whom were many women and children. Good God, gentlemen, do you think such an act was premeditated? Besides, was it not the duty of the military commandant (who, by his act in the morning, had invited me to the contest) to see that all such were out of the way? Did he not have all day to prepare? . . . In conclusion, let me add that no one can regret the injury to unoffending citizens more than I do. Still I find no complaints of my acts . . . coming from military or civil authorities of Galveston, and with due deference to your consideration and humanity, I must respectfully remark that it is the first time I have ever heard that the women and children and unarmed citizens of our American towns were under the protection of foreign consuls."

During the summer, Lieutenant Colonel Baylor conquered

Arizona, capturing or expelling all the United States troops there.

After consultation with friends, and some reflection on the matter, I determined to be a candidate for Governor at the ensuing August election. I wished to be the executive head of Texas, that I might support the Confederacy and assist in the vigorous prosecution of the war for independence. My experience in canvassing for Lieutenant-Governor gave me an idea of public sentiment towards me, and I thought, as did some of my friends, that I could be elected. I believed I could make Texas a passably good Governor. I knew that if elected I would give to the people an honest, faithful administration; therefore, on the 18th of April, 1861, from my home on Sims' Bayou, Harris County, I issued an address to the voters of the State of Texas, announcing myself as a candidate for the office of Governor. In that address I said:

"Since determining to be a candidate, I have learned that many citizens—numbering among them some of our most intelligent and patriotic men—have advised the calling of a nominating convention, ignoring all the former party issues, basing the present call entirely upon the great issue now being tried, of adhesion to the cause of Southern rights against those who may favor the idea of a reconstruction of the government. It is well known that I have ever been a States' Rights Democrat, without change or turning, and in favor of strict party organization. When, however, the great issue was to be met and fought between the true sons of the South and the Black Republicans of the North, I was willing and did drop all party lines, and touched elbows with all true men without regard to party differences. If, therefore, a convention should be called at this time with a view to nominating candidates for State offices, I have no hesitation in saying that all who are known to be loyal and true to the present State and Confederate governments should be invited to participate in its deliberations and actions, and I am free to say that if such a convention is determined upon and held by the people, I will most cheerfully bow to its behests, whether its action be favorable to my present expectation or otherwise. Should you, my fellow citizens, call me to the position to which I aspire—although I may not be so presumptuous as to say I will discharge

the duties with ability—I will pledge myself to act as I have ever done in every place I have accepted, honestly, impartially, and faithfully, administering the government economically but vigorously, protecting our people everywhere over our broad State, and using every means to defend our fair land from the tread of the merciless and ruthless invader, even though it should cost millions of treasure and streams of blood.”

And it has been charged that the Southern people were led into secession by designing politicians. The charge is not true. On the contrary, the people themselves were the authors of and responsible for the act, being impelled to it by a long train of causes of which it was not only a logical, but inevitable result. They urged prompt measures throughout the entire South. They took the lead and so impressed the public men and politicians with their determination to have the troubles between the South and the North settled by separation that the public men and politicians had to follow. Mr. Davis, an acknowledged leader, was opposed to the movement, and did not favor it until the people of his own State had seceded.

The question of co-operation, that was, for one State to wait the action of the others, and then to confer before seceding, was voted down by the people; particularly was it overwhelmingly voted down in Texas. It will not be denied that Gen. Sam Houston, then Governor of Texas, the ablest and most popular man in the State, supported in his views by many other able men, could not stem the current of popular sentiment, and they were compelled to yield to the decided and determined wishes of the masses. All such retired quietly to private life, or ignobly joined the ranks of those who insulted and made war upon their own State, or, taking a middle stand that any honorable man can appreciate, kept their allegiance to Texas and cheerfully rendered such assistance as they could.

The people of the entire State were on the alert. Every man was awake to the importance of the crisis, and was discussing what was best to be done. Some proposed a nominating convention on the one vital issue of sustaining the action of the secession convention in withdrawing Texas from the Union and of carrying on the war, then fully inaugurated. My competitors for Governor, Gen. T. J. Chambers and Gov. Ed. Clark, both Demo-

crats and secessionists, were as fully committed on these questions as myself. Hence it was merely the choice of the man to enforce the existing policy.

The State Democratic convention met at Dallas May 27, 1861, at 1 p. m.

Col. John M. Crockett, of Dallas, was elected temporary chairman and Junius W. Smith, of Tarrant, W. H. Thomas, of Dallas, W. J. Sparks, of Wood, were appointed secretaries.

On calling the list of counties, the following responded: Collin, Coryell, Cherokee, Dallas, Denton, Ellis, Grayson, Harrison, Hardin, Hopkins, Jasper, Lamar, Navarro, Parker, Palo Pinto, Rusk, Tarrant, Tyler, Marion, Wood, Wise, and Young.

On motion of T. M. Likens, of Rusk, gentlemen present from counties unrepresented were invited to take seats in the convention and participate in its debates.

The following were appointed a committee on permanent organization: M. D. Ector, Thos. J. Johnson, Ward Taylor, A. U. Wright, J. W. Angel, J. A. White, J. J. Howe, D. R. Wood, Geo. Wilson, J. L. Lovejoy, J. M. Hardeman, W. E. Sanders, P. Murrah, L. Yates, B. F. Ross, L. T. Wheeler, J. W. Squyers; and the following a committee on credentials: J. W. Smith, A. W. Crawford, R. H. Cumby, B. F. Ross, and R. W. Lunday.

In perfecting permanent organization, Maj. T. M. Likens was elected chairman; Col. John M. Crockett and B. F. Ross, vice-presidents, and R. W. Lunday, W. J. Sparks, Junius W. Smith, and W. H. Thomas secretaries.

The committee on credentials' report was adopted, and also the following resolution submitted by said committee:

"That in all cases where counties are represented by duly accredited delegates, those delegates shall cast the entire vote to which such counties may be entitled, without reference to any proxies from said counties; and that where counties are represented solely by proxies, that the person or persons acting as proxies shall cast the entire vote to which said counties may be entitled."

As there were but twenty-six counties represented, on motion of J. J. Howe, the convention adjourned sine die, it being "deemed unwise and impolitic to make any formal nominations for the offices of Governor, Lieutenant-Governor, and Commis-

sioner of the General Land Office." The other State officials were elected the year previous, 1860.

Though the representation was too small to justify a nomination for State officials, there were some quite distinguished men in attendance, such as J. M. Crockett, P. Murrah, S. B. Hendricks, Geo. B. Lipscomb, Jas. H. Jones, T. M. Likens, M. D. Ector, Malcolm D. Graham, and Dr. R. M. Gano.

I expected the convention to fail for lack of a quorum, and consequently did not attend. Had the convention nominated a man for Governor, I would have cheerfully supported him.

As there was no nomination made for Governor, it was a free-for-all race, the people to say who they wanted—Clark, Chambers, or Lubbock. We all pledged ourselves to support the war, and there was nothing else discussed.

Both Clark and Chambers made an active canvass. Having gone over the State so thoroughly two years before in my second contest for Lieutenant-Governor, I determined to do but little in that direction, and made very few speeches. Many good friends interested themselves in my behalf. E. H. Cushing, then of the *Houston Telegraph*, and Col. John Marshall, of the *Austin State Gazette*, were notably my warm supporters. The race was a very close one between Governor Clark and myself. After the election returns were in, I wrote to the Secretary of State for the result. While not official, he informed me that I was certainly elected. This was made manifest when the soldier vote came in, for the soldier boys supported me enthusiastically.

The Texans attracted so much attention by their soldierly conduct and intelligent action in the first battle of Manassas, Colonels Terry and Lubbock were asked if a regiment such as those who had taken part in the engagement could be raised in Texas for the Virginia army. The reply was, "Yes; ten such regiments, immediately, if desired."

The result was that in a few days they left for Texas with authority from the secretary of war to raise a regiment for the Confederate army in Virginia, then commanded by Gen. Joe E. Johnston.

When it was announced that Terry and Lubbock had authority to raise a regiment for Virginia, there was such a rush of companies that the quota was soon full, and many had to be rejected.

The rendezvous of the companies was at Houston, where they organized, with B. F. Terry as colonel and T. S. Lubbock as lieutenant-colonel.⁴¹

About the last of August preparations were made to march the regiment from Houston to New Iberia, La., in two divisions, and thence convey it by steamboat to New Orleans. Colonel Terry led the first division, or half of his command. Some of the men were mounted; a large number, however, left Houston afoot. I was glad that my neighbor, S. W. Allen, and myself felt able to provide quite a number of horses for their march.

Having just been elected Governor, and deciding to visit Richmond to better inform myself of public affairs, I determined to accompany the Terry Rangers, known also as the Eighth Texas Cavalry. The trip was a very hard one, the entire country eastward to the Mississippi being under water, in many places waist deep to the men and belly deep to the horses. It was particularly bad along part of the route to New Iberia. The men walking became so footsore and lame that they could not travel.

Colonel Terry placed me at the head of a detail, consisting of two intelligent men, the Tate brothers, and requested me to go to the settlements and collect a train of wagons or carts, so that his footsore men could be moved on to New Iberia. After much hard riding, and with great difficulty, I secured a number of Louisiana carts, which very materially facilitated our advance.

I left my valuable saddle horse, Gim Crack, at New Iberia in charge of the hotelkeeper till my return from Richmond. This horse was a great favorite of mine, as I had raised him on my ranch and liked his qualities as a roadster. I feared when leaving him that I would not find him on my return. I did, however, and rode him back to Texas. On arriving at New Orleans, the rangers were quartered at the cotton press, and in a few days left for Virginia. In the meantime Gen. A. S. Johnston (commanding the Confederate forces in Kentucky), who knew the officers

⁴¹ The *Telegraph* of August 7th thus notes the return of Colonels Terry and Lubbock: "We had the pleasure of meeting our friends Terry and Lubbock this morning. . . . We welcome them back and glory in them as true and noble representatives of Texan character. They have authority to raise a regiment of rangers for service in Virginia, and we doubt not that they will take such a regiment that will do glorious service to our cause in the war."

and many of the men, had been negotiating with the Secretary of War to have the rangers assigned to him, arguing that he needed just such troops as he knew them to be, and that he could have them properly armed and equipped in his department and put them into immediate service.

His request was acceded to, and Colonel Terry on reaching Chattanooga received a dispatch ordering him to report to General Johnston in Kentucky. It was a bitter disappointment to all to be diverted from their original destination, but fortunately General Johnston was well known by the officers and men, and they became resigned to the inevitable, and proceeded to this unexpected field of operations. The rangers at once began to prove themselves worthy of the confidence of General Johnston. No better soldiers ever drew battle-blade in freedom's cause than Terry's Texas Rangers. I bade the noble fellows a long farewell at Chattanooga. I never saw the hero Terry in life again. He fell a few months later while gallantly leading his regiment at the battle of Woodsonville, Ky. I continued my journey to Richmond that I might confer with President Davis and learn from him how I, when installed as Governor, could best aid the Confederacy.

The bustle and excitement of military preparations was noticeable all along the route from Texas to Virginia. The people seemed entirely sure of success.

On my arrival at Richmond I found the city astir with warlike preparations, soldiers and officers coming and going; companies marching and drilling, the air resonant with the blare of military music, and Confederate flags floating from public and private buildings.

President Davis had gone to the front on army business, but I met him at the train on which he returned. Introducing myself, without ceremony, and explaining the object of my visit, I received from him a most cordial greeting and welcome.

The President imparted much information as to his plans of operation, and expressed himself fully as to the ways in which the Governors of the several States could strengthen the power and further the onward march of the Confederacy without impairing their rights or trenching on their sovereignty.

His winning, unaffected manners impressed me very favorably,

and I bade him farewell with the thought (which I still hold) that he was pre-eminently fitted for the high position to which he had been called by the unanimous voice of the South.

During my few days sojourn at the Confederate capital I spent the most of my time with the Fifth Texas regiment, at Camp Texas, in the vicinity, and especially with Captain Rogers' company. I left Richmond October 6, 1861, for Texas. While steaming up the Teche to New Iberia, the boat with the remaining companies of the Eighth Texas passed up, my brother, Lieut.-Col. Tom Lubbock being in command. We recognized each other and signaled a farewell, I going to Texas to my duties as Governor, and he, as a soldier, to meet the invaders at the threshold of our Southland.

That was our last greeting on earth.

The *Houston Telegraph*, in speaking of my return, said:

"We were made glad yesterday by the appearance in our sanctum of the pleasant countenance of our friend, Hon. F. R. Lubbock, Governor-elect of the State, after an absence of some weeks, ranging about in the other States of the Confederacy. He is in first-rate health, and looks every inch the popular Governor he is bound to be. He sat down and told us all he saw while he was gone, and, of course, we will tell the people all we have a right to repeat.

"He was at Richmond some days, and left the camps of the Texas troops at 12 o'clock on the night of the 5th. He says the troops are generally well. The officers of the two regiments have been appointed, and were, for the most part, satisfactory, though many would have preferred all the appointments had been made in Texas.

"The last two companies of the Fifth regiment had arrived, making the full twenty companies. The Fourth regiment was under marching orders for Western Virginia. The Fifth was in daily expectation of orders.

"From conversation with those high in authority, Mr. Lubbock is satisfied that the views of the government are to protect the southern coast by pressing the war home upon the enemy on the border. He is also satisfied that a great battle may take place any day. The city of Washington is pretty much shut up, and

McClellan must soon either fight or starve. President Davis is improving in health, and looks perfectly well.

"Judge Reagan, our Postmaster-General, has been a good deal abused. We have complained a little ourself. But Governor Lubbock says that no man works harder than Judge Reagan, and he believes he will do what is right as far as it is made known to him.

"Terry and Lubbock's regiment were being provided with horses and equipments in Nashville. It will be the best mounted regiment in the service."

When I reached home I began at once to get ready for my inauguration as Governor.

It was not without sincere regret at the thought of leaving, even temporarily, our pleasant home in the country, that Mrs. Lubbock and I began preparations in the latter part of October for departure to the State capital. The ranch and negroes were left in charge of our stock-keeper. The ranch consisted of 1300 acres, about 100 of which were under cultivation. The natural increase of my herds at this time was about 100 colts and 2000 calves annually. Our residence was left in the special care of our neighbor, Mrs. Briscoe.

We traveled by rail fifty miles to Hempstead, the terminus of the Central road, and thence by dirt road to Bastrop, myself and family riding in a comfortable close carriage I had purchased in Galveston, and the servants in a good spring wagon, which also contained a bountiful store of groceries and other supplies.

We spent a few days with my brother, John B. Lubbock, and our friend C. K. Hall, at Bastrop. Here I learned that there was some complication in the returns and there was a doubt as to my election. At the suggestion of my intelligent and ever prudent wife, who stated that it would be highly mortifying for us to continue on to Austin in the manner we had traveled to Bastrop, and then learn that one of my opponents had been elected Governor, I left her at my brother's and went on to the capital alone to acquaint myself with the true status of affairs. There I found that I had been elected, but by so small a majority that I determined to remain at Bastrop until the count was made and the result declared by the Legislature.

CHAPTER NINETEEN.

Lubbock's Administration—Inauguration and Address—Some Appointees—Message Extracts—Personnel of the Ninth Legislature—Historic Buildings—General Hebert and Coast Operations—My "Burning" Letter—My Veto Message—Texan Forces in the Field and Noted Texas Rangers.

The Ninth Legislature met on the 4th day of November, 1861, and each house, a quorum being present, perfected organization.⁴²

The next day both houses met in joint session in the hall of representatives to count the votes and announce the result.⁴³

⁴² The following were the officers of the Senate:

Lieutenant-Governor J. M. Crockett, president; P. De Cordova, secretary; A. W. Steel, first assistant secretary; George W. Breeding, second assistant secretary; J. Q. St. Clair, engrossing clerk; F. Everett, enrolling clerk; D. C. Burleson, sergeant-at-arms; J. W. Murphy, doorkeeper; and William Smith, chaplain.

The following were the officers of the House:

C. W. Buckley, speaker; W. L. Chalmers, chief clerk; W. W. Chalmers, assistant clerk; John L. Garrison, engrossing clerk; E. M. Bacon, enrolling clerk; William N. Henderson, sergeant-at-arms; J. Mann, assistant sergeant-at-arms; and John L. Lovejoy, doorkeeper.

⁴³ The votes cast for the various candidates at the election held August 5, 1861, were as follows: For Governor: F. R. Lubbock, 21,854; T. J. Chambers, 13,759; Edward Clark, 21,730; scattering, 85. For Lieutenant Governor: John M. Crockett, 38,321; F. F. Foscue, 12,160; scattering, 2510. For Commissioner of the General Land Office: S. Crosby, 35,689; John Henry Brown, 9492; G. W. Vanvleck, 4027; H. J. Jones, 1630; scattering, 429.

Besides the above an election was held November 6th for members of the Confederate Congress, with the following results: First district: John A. Wilcox, 3448; E. R. Hord, 2470; and W. H. Stewart, 1409 votes. Second district: C. C. Herbert, 2479; Fred Tate, 2034; A. M. Lewis, 1367; and F. W. Chandler, 633 votes. Third district: Peter W. Gray, 4952; A. P. Wiley, 1673; William R. Reagan, 21; and scattering, 5 votes. Fourth district: F. B. Sexton, 1644; J. L. Hogg, 1062; J. N. Maxcy, 1053; T. J. Word, 926; A. W. O. Hicks, 350; and W. R. Poag, 100 votes. Fifth district: M. D. Graham, 2946; R. B. Hubbard, 2686; and scattering, 46 votes. Sixth district: W. B. Wright, 3444; B. H. Epperson, 2777; T. R. Rogers, 537; R. H. Ward, 256; and scattering, 1 vote.

It was declared in due form, that F. R. Lubbock, having received a majority of the votes, was the Governor-elect.

When the official announcement of my election reached us at Bastrop, we started at once for Austin. Our road led up the west side of the Colorado to Webberville, and thence on the east side through the prairies to the capital.



GOV. F. R. LUBBOCK AND MRS. ADELE BARON LUBBOCK.

Arriving at Austin, we went to the executive mansion, which had been made ready for our occupancy. We brought with us excellent servants: the boys, Washington and Eli, about grown, expert in the care of horses and outdoor work, and two girls trained by Mrs. Lubbock in the culinary art and as housemaids. Besides my saddle horse, Gim Crack, I had a pair of spotted Morgan horses, and a pair of elegant sorrels.

In the closing message of his official term, Governor Clark said:

"The most general of the army difficulties was the fact that the troops were, to a great extent, required to be infantry.

"No practical means have been left untried to form into military companies all the able-bodied men in Texas. The chief objection to enlistment was the repugnance to infantry service. The predilections of Texans for cavalry service, founded as it is upon their peerless horsemanship, is so powerful that they are unwilling in many instances to engage in service of any other description. . . .

"Another serious obstacle has been the want of legislative authority and of the material resources for placing volunteers in organized and effective condition. . . .

"The last serious obstacle to the military operations of the State . . . is the fact that the previous Legislature did not have a full appreciation of the greatness of the conflict upon the threshold of which we then stood.

"We could all see a triumphant and majestic confederacy of States in the vista of the not distant future; but all did not realize a sense of the trial and struggle through which we were to pass before it could be firmly established. . . .

"Twenty thousand Texans are now battling for the rights of our new-born but gigantic government. They are waiting to win fresh laurels in heroic old Virginia. They are ready to aid in lifting the yoke from Kentucky's prostrate neck, and are marshaled in defense of the sovereignty of Missouri. They have covered themselves with glory on the plains of New Mexico, and are formed in a cordon of safety around the border of our great State.

"If such positive results have sprung from the spontaneous action of the people, what may we hope will not be accomplished when the entire latent forces of the State are shaped into system and efficiency. The realities of the great war in which we are engaged will require the exercise of all your financial ability, all your military skill and devotion to the public welfare. I am confident that you will display all these qualities and at the same time that you will rely unwaveringly upon 'Him who doeth all things well.' The fruits of your labors, I trust, will soon be peaceful independence and a prosperous State, and Texas . . . strengthened in the power to aid in the establishment of a general government."

I had scarcely time to examine my future official residence before I was called to the capitol for installation. This ceremony occurred in the hall of representatives, in the presence of both houses of the Legislature and a large assemblage of citizens, and, with attendant incidents, is thus described by the *State Gazette* of November 9, 1861:

"Thursday (November 7th) was spent mostly upon the inauguration and its ceremonies.

"At a quarter to 12 m. both houses met in joint session, an immense concourse of people present. At 12 m. the Governor and Lieutenant-Governor elect, and the supreme judges were escorted into the hall by a committee of the houses. Governor Clark delivered a brief valedictory address, conceived to be in good taste and delivered with some apparent embarrassment.

"Governor Lubbock then took the oath, administered by Chief Justice Wheeler, and read, in his earnest and emphatic manner, his inaugural, which was frequently interrupted by cheers and other manifestations of approval.

"Lieutenant-Governor Crockett then took the oath, administered by Chief Justice Wheeler, and delivered his address."

My inaugural address was as follows:

"Gentlemen of the Senate and House of Representatives, ladies, and gentlemen:

"The time designated by the Constitution that you, gentlemen of the Senate and House of Representatives, shall meet and enter upon the important duties assigned to you having arrived, permit me to congratulate you that you are here assembled to-day for that purpose, in a free land, untrammelled and unawed by the mercenaries of despotism. Let me congratulate you, fellow citizens, that while some of our sister States have been and are now being invaded, the soil of our beloved State is free from the presence of our enemies, except such as are prisoners in the hands of our brave soldiers.

"A generous and confiding people, by their suffrages, have called me to the executive chair of a great and sovereign State, a member of the proud and powerful Confederacy.

"I feel deeply conscious of the great responsibilities attaching to the position at this important crisis. Much has already been done by the retiring executive to place Texas side by side with

her sister States in the present struggle: but, gentlemen, it must be borne in mind that we have as yet but seen the beginning, and I am resolved, with your aid and support, so long as I occupy the position confided to me by the people, that her footsteps in the career of honor and patriotism shall be onward, and the precious interests intrusted to my keeping be rendered back at the proper time uninjured and untarnished.

"It is useless at this time, gentlemen, to discuss the causes which have led to the present state of affairs. The history of our wrongs is a long and bitter one, and has been so often discussed and reviewed by the great minds of the country that it has become familiar to you all. You, together with a large majority of our fellow citizens, have long decided that grievances to such an extent existed as to warrant separation from those with whom for so long a period we had been politically connected. That separation was consummated by us after mature reflection, in view of all the attendant dangers and difficulties. Many had hoped that we would have been permitted to depart in peace, and that those with whom we could no longer live in brotherhood would at least allow us to retire from a copartnership that had become onerous and oppressive, and take with us our institution that had become so hateful to them. This fond hope was not to be realized. Those who had heretofore professed friendship for us and a willingness to stand by our constitutional guarantees, became our most vindictive foes, vying with abolitionists who should be first in the field for our subjugation.

"The war was inaugurated by our enemies, and our once peaceful and happy land is now the scene of this inhuman struggle.

"The Lincoln government vainly boasted the base and hireling soldiery would overrun and subjugate the South in sixty days. Eight months have passed away, and we find this wicked and boastful government, after warring for that length of time against a power not half their equal in numbers, forced to pursue on every line of military operations a defensive policy: their armies defeated on every battlefield, and their hireling soldiers panic-stricken before our army of citizens.

"In all this, a kind Providence has hovered near our armies, giving us victory after victory over our enemies.

"In portions of our country, heretofore subject to casualties

that have caused the earth to fail in the productions, genial show-ers have fallen upon the land; abundance has been given to us; our granaries are filled; plenty prevails in our midst, and the people feel that the great God who presides over the destinies of nations and 'sits on the throne judging right,' is on our side and will bless us in this struggle.

"Thus far our efforts have been crowned with success. Let all praise be given to our gallant soldiers, who have defended the integrity of our soil.

"It has been said, gentlemen, that this is a war for slavery. I tell you it is a war for liberty! Upon the issue of this war must depend our status in all time to come. We must either maintain our liberties by our strong arms and stout hearts, or we must consent to become the most abject slaves of the basest, most corrupt, and vulgar despotism that ever clutched in its unhallowed grasp the liberties of a free people.

"I know, gentlemen, that in your hearts you have already determined that this war must be carried on with promptness and vigor to ultimate success.

"I call upon you, therefore, in the name of patriotism, honor, and all that you hold most dear, to devise and carry out such wise and efficient measures as will strengthen the arm of the Confederate States and aid them in speedily achieving for us our independence, pledging to you my most cordial approval and co-operation in every such measure.

"I trust you will see that those gallant men who have served the State well and faithfully be fully provided for, and that no Texan soldier shall charge his State with ingratitude. They deserve well of their country. They have and will continue to sustain the reputation of their State as the home of a chivalrous and warlike people.

"Gentlemen, to the ladies of our country we owe much. In our trials and troubles they, too, have been with us. To prepare comforts for the soldiers, their busy needles have been plied incessantly; their smiles, their tears, and their prayers accompany the soldiers to the battlefield. They yield up to the cause of their country, right bravely, husbands, brothers, sons, and lovers. They give up ease, luxury, and elegance for the soldiers' benefit.

"Can a people, thus supported and encouraged, be subdued by the base Hessians of a corrupt and fanatical government? No! Never, while one bold heart is left to combat!

"Gentlemen, I am pleased to know that at the head of the government of the Confederate States we have men of ability, integrity, and patriotism; and while I have every confidence and feel satisfied that they are doing everything in their power to secure our liberties and chastise our insolent and remorseless foe, it is, nevertheless, our duty to see that our State is put in an attitude of self-defense, from the seaboard to the hills, and our soil defended against the polluting tread of abolition hordes. Our frontier must be guarded, at every cost, against the ruthless Indian foe; the lives of our men, women, and children preserved from the tomahawk and scalping knife.

"Texas must pay punctually to the Confederate government her portion of the war tax. I have no fears but that our people will promptly respond to this sacred call of patriotism, and, in addition, cheerfully meet such taxation as may be necessary to carry on our State government with efficiency.

"I trust that every citizen will feel that he must perform his part in the great struggle now going on, that prudence and economy will enter into the administration of every department of government, and that every public servant will look well to the welfare of the country.

"Let me say, in conclusion, that I am here in accordance with the wishes of the people; that I bring with me to the capital the kindest feelings towards all good men, having no prejudices against this party or that party, this man or that man. I come here determined, as far as in my power lies, to see that the laws are enforced impartially and to carry on the State government for the benefit of the people, with honesty and economy.

"I enter upon the discharge of my duties free and untrammelled, bound by no pledges other than to a faithful performance of every trust confided in me.

"I trust every citizen in this broad land will see the necessity of lending his aid in sustaining the glorious cause in which we are now engaged, that of securing to millions yet unborn the right of self-government.

"Let us all stand upon the Constitution that has been adopted

by our people, presenting one unbroken front to tyranny in every shape it may present itself, with the determination never to place our liberties in the keeping of the dastard foe that now seeks to conquer us.

"I hope, gentlemen, that your session will prove harmonious, and that your every act will redound to your praise and the good of our country. For the present I have done; at a future day I will take pleasure in giving you my views more in detail.

"Ladies, for your attention, I thank you, and from my heart say—God bless you."⁴⁴

I selected for my private secretary Wm. M. Walton, a bright young lawyer at that time, later Attorney-General of the State, and to-day one of the acknowledged leaders of the Texas bar. After serving as my private secretary a few months, he resigned the position, raised a company for the Confederate army, and joined Carter's regiment at Hempstead.

James Paul, a Texan citizen of English birth, an excellent gentleman, then living at Castroville, succeeded Mr. Walton. Owing to physical infirmity he was incapacitated for military service, and remained with me during my term of office.

Mr. C. S. West, a promising lawyer, who after the war became a member of the State Supreme Court, was my Secretary of State. He, too, soon caught the war fever and enrolled himself in the army. His successor as Secretary of State was the Hon. R. J. Towns, a retired district judge of fine abilities.

⁴⁴The following are two of the many favorable comments which Governor Lubbock's inaugural evoked from the press of the State, a mirror that then reflected in truthful outlines and just proportions the sentiments of the people.—ED.

"In every line of Governor Lubbock's address will be recognized the frank earnestness of the man and his hearty sympathies with the people over whose interests he is called to preside. He made his appearance in the representative chamber clothed in homespun, and seemed, indeed, the people's choice.

"He expressed a determination to make every exertion to place the State in a defensible position, from the seaboard to the mountains. Unless we are much mistaken in the man, Frank Lubbock will redeem this pledge and carry out his expressed determination to its fullest extent." *State Gazette*.

"The inaugural address of Governor Lubbock is a document worthy of the head and heart of a patriot."—*Texas Republican*.

To the position of Adjutant-General, at that time a most responsible office, I appointed J. T. Dashiell, of San Antonio, an accomplished officer of large experience. To him I was greatly indebted for whatever success I achieved in the management of military affairs.

These appointments gave general satisfaction, and justly, too, as time demonstrated.

With entire confidence in my chosen associates, I entered cheerfully upon my duties.

In my opinion the first essential was to put Texas in a thoroughly defensible condition, and to that purpose I subordinated all others for the time being, and bent every energy to the task until it was accomplished.

My views on this subject were outlined in my inaugural address, and were given more in detail in my first message to the Ninth Legislature.

The greatest immediate danger that we apprehended was from Indian hostilities.

In my message I said: "Our Indian troubles should occupy your attention. Since the withdrawal of Texas from the government of the United States, and the adoption of the system by the Confederate States of defending the frontier by regiments of mounted men, comparative quiet in that quarter has prevailed. It is, however, now no infrequent occurrence to hear of murders being committed and property stolen by our Indian enemies.

"I am very loth at this time to express any dissatisfaction at what the Confederate States is attempting in the way of defending and protecting our frontier, knowing as I do that its every desire is to accomplish good for our confederacy. Yet I must say that I have no faith in the policy heretofore pursued with what are called reserve Indians. If the government is settled in its policy to retain these Indians on reserves for the purpose of protecting, civilizing, and supporting them, they should be confined strictly to the territory provided for them. I most respectfully suggest that you adopt some system for frontier protection best suited to our situation and the requirements of the country, and urge its immediate adoption, through our members of Congress, by the government of the Confederate States. Under the exist-

ing state of the country, in case of an invasion we must rely almost entirely on the militia of the State."

In regard to the defense of our seacoast and the procurement of heavy guns for that purpose, I said:

"In connection with the subject of public defense, I call the attention of your honorable body to the exposed condition of our gulf coast; and, while I feel confident that the government of the Confederate States will use every exertion for the defense of our coast, yet it is certain, without the heavy guns necessary for that object, but comparatively little can be done. The recent experiment made to forward cannon from the State of Louisiana demonstrates that we will have to rely exclusively on such heavy ordnance as may be now in the State, or such as can be made within its limits. We have among us many citizens who understand the manufacture of cannon and of small arms, and we also have quite a number of foundries. We have in Cass and Bowie counties, and, it is believed in other locations, iron of a quality well adapted to the purpose, and steps should be taken for the encouragement of the manufacture of these weapons, indispensable to our defense. Legislation providing for the manufacture of these arms is necessary. Contracts might be made for that purpose. If deemed best, a State foundry might be established at some suitable point."

In reference to the financial condition of the State, I said:

"The State, heretofore resting in that security which characterizes all powerful governments in times of profound peace, with no prospect of war, has, in pursuance of a generous and liberal policy, appropriated her large means to purposes of education, internal improvements, and other objects of general usefulness; in consequence of which, you find at this time, when a full treasury is so much needed, the State government absolutely without a dollar subject to appropriation for the purpose of carrying on civil affairs or placing the State in a condition of security against the invasion of the enemy.

"It will require your deepest wisdom and most patient exertion to sustain your State in the present crisis, because, gentlemen, it devolves on you not only to provide the means for the support of the civil government and to pay her outstanding mili-

tary debt, but also to devise and adopt such measures as will enable Texas to perform her duty toward the government of the Confederate States, and thus, to the extent of her ability, enable those in authority to conduct the war with vigor and prosecute it to a successful termination. . . .

“By an act of the Confederate States Congress, that government assumes to pay all debts incurred by the several States incident to their secession from the government of the United States. Texas, one of the seceding States, will have a large claim against the Confederate government under that law. Prudence demands that you adopt such measures as will speedily collect the testimony necessary to establish our claim, in order that it may be promptly examined and audited by the government.”

The public printer appointed having failed to give bond, and there being, consequently, no person then authorized to do the public printing, I recommended that the law relating to the subject be so amended as to thereafter require persons bidding to file bonds with their bids.

The institutions for the insane, blind, and deaf and dumb were recommended to the consideration of the Legislature, and all necessary legislation for their benefit invoked.

The law under which the school fund was loaned to certain railroad companies required that the roads borrowing any portion of it should be sold if payment was not made at the maturity of their paper. The following was recommended:

“It is a matter of paramount importance that the school fund should be secure and be devoted eventually to the sacred purpose for which it was designed by the wise foresight of the framers of the Constitution. Yet, owing to the many disadvantages that would result from the purchase by the State of the property mortgaged by the railroad companies, it would be well for the Legislature to consider the propriety of extending some relief to these companies. Should it be deemed advisable that the time be extended, it will be for the wisdom of your honorable body to devise a mode by which the prior lien of the State on these roads will not be in any way prejudiced, the school fund protected, and our system of internal improvements perfected. Should such a measure be devised, it would not only prevent the consequences

which would follow under the law from the sale contemplated by it, but result in great public good."⁴⁵

I recommended to the Legislature to confine their attention to matters of general interest and to the enactment of laws of pressing necessity, saying: "That every endeavor will be made by you to bear the standard of Texas aloft, that you will struggle by every means in your power to strengthen the arms of the Confederate States, I feel fully satisfied."

After assuring them that I would heartily co-operate in the

⁴⁵ These are some of the press comments:

"In perusing it [Governor Lubbock's message] the reader will be struck with the simplicity, frankness, decisiveness, which characterize the whole document. As might have been expected from Frank Lubbock, he says plainly what he has to say—goes straight to the point and leaves no room for misconstruction or misapprehension of meaning."—*Telegraph*.

The *Telegraph*, however, failed to endorse the Governor's recommendation that Confederate States treasury notes be made receivable for State dues—that is, that those notes be made Confederate legal tender. It is hard to see how Texas, as a Confederate State, could have done otherwise than take the course recommended by the Governor.—Ed.

"Zeno," the Austin correspondent of the *Telegraph*, wrote of the message:

"It is an able document, and it will meet with the approval of all who read it. A thousand copies were ordered to be printed in the House, and five hundred in the Senate. Among other things, he recommends that the outstanding debt of the State be made receivable for taxes and public dues, and relief to our railroad companies."

"We need not say that we underwrite every word it contains. We have told the people many a time and oft of what stuff Frank Lubbock was made, and they will find it out before his term of office expires."—*San Antonio Herald*.

"Since the inauguration of Governor Lubbock we have spent much time in Austin, and have had ample opportunity to make his acquaintance, and to observe and admire his official course. He is no ordinary man. Frank, open, and courteous in his manners, he is firm, unflinching, and just in the discharge of his official duties. His kindly disposition and impulses are controlled by a lofty patriotism that never yields to personal friendship or favoritism; but in all things he is controlled by a sense of his public duties and by what he conceives to be the interest of his country. As an orator he has been considered showy; he is also earnest and profound. The people of Texas have indeed been fortunate in selecting such an executive at such a juncture."—*Telegraph*.

perfection of every measure tending to the promotion of the general welfare. I said, by way of conclusion: "Let us do our duty, and, with the aid of an all-wise and all-seeing Providence, our country will emerge from this unholy war with a fame world-wide and her honor untarnished."

The Ninth Legislature was an able and patriotic body, including among its members such men as S. B. Maxey, Pryor Lea, Robert H. Guinn, A. M. Branch, Geo. B. Erath, Geo. P. Finlay, Chauncey B. Shepard, Stephen H. Darden, and N. G. Shelley in the Senate; and N. H. Abney, Horace Cone, N. H. Darnell, H. M. Edmore, R. T. Flewellen, W. E. Goodrich, R. M. Gano, A. M. Hobby, S. A. Maverick, A. Navarro, A. H. Rippetoe, Chas. Russell, J. A. Stachely, W. A. Wortham, and Frank Williams in the House.

They came together with a fixed purpose to sustain the Confederate government in every movement calculated to insure success. With this feeling, they began at once the good work of putting Texas in the proper posture of defense.⁴⁶

Of the historic buildings dating back to the Republic then standing in Austin were the following: The president's house, a two-story frame, painted white, erected on the site of the present St. Mary's Academy, only occupied by Lamar (though it was

⁴⁶ "Zeno," correspondent of the *Telegraph*, thus spoke of the Legislature in the columns of his paper:

"Judge Buckley presides with great dignity, and is an efficient speaker. The House and the Senate are characterized by quietness and good order. Austin is as quiet as if the Legislature was not in session. The lobbies of the two houses are *empty*, and there are very few 'lookers on in Venice;' no money to lavish this session, and no hangers on for the 'loaves and fishes.' . . . There is no telling how long the Legislature may be in session; perhaps until Christmas. One thing is certain, the members are all desirous of getting away as soon as possible; not, however, until all shall be done which the exigencies of the times demand. . . . The people of this section are better off than they have been for years—abundant crops, the whole country alive with hogs, sales of beef, continually a demand for wool—indeed, everything seems to have gone well with the people."

"The strictest economy," says "Quill," a correspondent, "is practiced by the members. The contingent expenses . . . will fall many thousands of dollars below the ordinary expenditures of a session. It is a healthy feature. It is a practical recognition of war times. The people will applaud."

the executive mansion), Austin having been abandoned as the capital from 1842 to 1846; the residence of M. de Saligny, the French embassy, an elegant one-story frame, painted white, now owned and occupied by Mrs. Robinson; and the old capitol (the first ever built by Texas), a one-story frame, facing the avenue, on the site of the present city hall, with two large rooms, separated by a wide corridor, with open gallery in front and shed rooms in rear for offices—the north room was the Senate chamber, and the south the chamber for the representatives.

The most elegant of the public buildings then in use was the new capitol, erected on the reserved ground at the head of Congress Avenue, and said to be of the Ionic order of architecture. It was two stories in height, and constructed of an oolite of a soft white color. In the second story were the chambers, with galleries, for the two houses, the Supreme Court room, and the apartment for the State library. Its cost, including furniture, was estimated at \$150,000. This building was destroyed by fire in November, 1881, and its former place is now occupied by our magnificent granite capitol.

To the west, and in the rear of the capitol, was a one-story building, constructed of rough stone and containing six rooms, occupied by the Department of State, and formerly occupied by the General Land Office.

To the east, and in the rear of the capitol, stood the treasury building, a two-story edifice, with strong vaults in the basement, and containing twelve rooms. Besides the treasury, it was occupied by the offices of the Auditor and Comptroller.

The General Land Office building was the same that still stands in the southeast corner of the capitol inclosure and is now used for that purpose—built of hard limestone and two stories in height, and containing fifteen rooms.

All these last mentioned public buildings erected by the State were paid for, as has been before stated, out of the Santa Fe fund.

The executive mansion was in the center of an acre (more or less) reservation, just west of the block at the head of Congress Avenue, and very near the southwest corner of the capitol square. It was a two-story brick edifice having a portico along its whole front, with six Ionic columns. On the premises were the usual

outbuildings, including carriage house and stables, which we found very convenient, and there was an abundant supply of good water from a cistern and a well. The grounds were enclosed with a neat wooden paling.

We had plenty of room for comfortable living and entertainment of guests. The mansion, though plain enough in this age of architectural extravagance in public buildings, was then the finest residence in Austin, excepting only the dwellings of J. H. Raymond and ex-Governor Pease. All three of these buildings yet remain in a good state of preservation. The mansion, without undergoing any essential change, has been successively occupied as a residence by all our Governors from Pease to Sayers inclusive. Together with the old land office building, it remains as a notable souvenir of the earlier days of the State. This is the first and last executive mansion built by the State; the President's house, on the east side of the avenue, was the work of the Republic.

At an early day we had a levee for the Legislature, and all citizens were invited. It was a jam, and everything was served in profusion.⁴⁷ We never dined alone, invariably having from two to a dozen members with us, so that during the session every senator and representative had been to our table once or oftener.

Although we were then in the war, provisions were plentiful and cheap, as was horse feed. I may mention, for instance, that turkeys during that winter could be had all the while at 50 cents each; barley, most excellent horse feed, at 20 to 25 cents per bushel.

Our house was always open to visitors, and the young ladies, with a cripple beau, and sometimes with an old man unfit for military service, would come to the mansion quite late at night, giving us good music and singing. I have left my bed to entertain them, as I enjoyed their coming.

We made the Governor's mansion a cheerful, bright home, and we loved to have our friends enjoy it with us during the few hours I could spare from public duties.

⁴⁷ Says the *Telegraph* of November 27, 1861: "The Governor gave a levee last night. The mansion was crowded. The young and the old enjoyed themselves. The beaux and belles danced. The old people talked and walked."

As to my private business, I had put all that aside. I had proper men to look after my ranch and other matters, so I gave myself little concern about them, enabling me to devote my whole time to the people's affairs. Although frequently at Houston, with my ranch and farm only six miles distant from that place, I did not see them until the close of the war. Our house I never saw again, for it was accidentally burned, with everything it contained, while we were in Austin. My loss amounted to fully \$10,000, as there was nothing insured.

Brig.-Gen. Paul O. Hebert was at this time the Confederate military commander over Texas, with headquarters temporarily at Galveston.

Hebert was a rich Louisianian, of fine family, and a fellow-graduate at West Point with Sherman and Thomas. He had been brevetted colonel for gallantry at Cerro Gordo, and had achieved some distinction as an engineer in the public works on the Mississippi. While Governor of Louisiana, Hebert had appointed Sherman president of the State military institute at Alexandria. Sherman appears then to have been a fire-eating Democrat, ready to die, if need be, for the South.

General Hebert was now strong and vigorous and apparently about 45 years old. He was a good engineer, and, perhaps, that was the reason of his appointment to command in Texas, as our gulf coast needed proper defenses.

In the fall of 1861 Commander W. W. Hunter, of the Confederate navy, was ordered to Texas to serve as superintendent of coast defenses, under General Hebert. He proceeded to make an elaborate survey of the waters of Galveston Bay, which was of great service in our subsequent military operations. Hunter was a gallant officer, whose scientific knowledge and zeal contributed much to our success in that quarter.

Pending proper war legislation I studied the military situation.

Learning that only one regiment (Colonel Ford's) occupied the lower Rio Grande region, and apprehending invasion from that direction, I proposed to reserve its military strength for its own defense.

I wrote at once to General Hebert, at Galveston, expressing my lively apprehensions for the security of the country on the

lower Rio Grande, and suggesting that it would be best for the Confederate government to decline to receive into its service any more troops from that portion of the State lying west of the Colorado River, other than those joining Lockett's, Garland's, and Terrell's regiments, and such companies as might be stationed in that district of country for its defense. Having advised him thus, I concluded by saying: "I am ever ready to place at the disposal of the Confederate government all the resources of the State for the preservation of its soil from the polluting tread of a ruthless invader. And my ardent desire to witness the timely concentration of an adequate force for the protection of the lower Rio Grande, a region of country now of vital interest, has induced this communication."

A little while before this, General Hebert thus complained to the Secretary of War: "To tell you how totally unprepared, confused, and defenseless I found this department, . . . the difficulties, . . . from lack of means, guns, arms, ammunition, and a proper military organization, would be tedious. . . . As an engineer, I can but too well appreciate the defenseless state of the seacoast, see plainly what is needed generally, but, of course, can only deplore my inability to remedy the evil. I much fear that I have brought my little military reputation to an early grave."

It is needless to say that these forebodings were soon realized.

The night after my inauguration, Lieutenant Jouett, of the United States blockading vessel *Santee*, captured and set fire to the *Royal Yacht*, a Confederate vessel, in Galveston harbor.⁴⁸

⁴⁸ On November 7th it was determined by Captain Eagle, of the *Santee*, to destroy the *General Rusk* in Galveston harbor. At midnight two launches with forty men under Lieutenant Jouett put off from the *Santee* and pulled quietly towards the *General Rusk*, a few miles away. When near the schooner, the launches grounded, and in the confusion the alarm was given and the attacking party driven off by a heavy fire from the *General Rusk*. Lieutenant Jouett then turned about and pulled for the *Royal Yacht*, not far distant. She was carried by boarding and her crew captured after a desperate struggle of thirty minutes. The yacht was fired by the Federals, and they returned in triumph to the *Santee* with thirteen prisoners. This brilliant exploit cost the enemy, according to his own account, three killed and six wounded, and the Confederates the thirteen men constituting the crew of the yacht.

Demoralization grew apace. November 15th, a week later, General Hebert, writing from Galveston, addressed the Secretary of War as follows:

"There is no doubt but that the defense of Galveston, or any other point on this coast, in the event of a formidable attack, is a very difficult if not an impossible matter; yet an effort must be made in that direction and this place held as long as possible. It is a cotton port, and if in the possession of the enemy would be a nucleus for the disaffected, of which there are, I am sorry to say, many in this State. As a matter of necessity connected with the defense and possession of the island, I have directed the planking of the railroad bridge, connecting with mainland, so as to admit of the passage of troops. The heavy guns, so long on the way, have not yet reached this place."

This letter would seem to indicate a lack of confidence in his ability to meet the difficulties before him. Really, General Hebert appeared somewhat bewildered at the magnitude of the task assigned him, and not to have matured, at least at the beginning of my administration, any definite line of policy. The heavy guns referred to were a battery en route from Alexandria, and drawn by oxen.

In reply to General Hebert's letter, Secretary of War Judah P. Benjamin wrote that there was then stored at San Antonio (Hebert's supposed headquarters) ammunition to supply the immediate needs of at least 15,000 men (three times the number under arms in Texas), and that he regretted that he could not supply any arms at the time, but had hopes of doing so in the near future. "In the meantime," concluded the Secretary, "it is well to continue to encourage the people to collect and preserve all their arms and ammunition, and to rely, as far as possible, upon their own means of defense in case of attack. You may assure them, however, that their confidence in the Confederate government shall not be disappointed and that, if threatened or invaded, they shall not be left without assistance."

Believing that the storage of cotton along the coast would in-

The latter were taken prisoners, three of them wounded. This was rather mortifying to us, as it indicated bad management to allow an enterprising enemy such an opportunity for mischief. Our men from the Rusk, however, soon extinguished the fire and saved the vessel.

vite attack by the enemy, I issued a proclamation November 30th forbidding the transportation and the storing of cotton at any points within striking distance of the enemy's vessels. This order had a good effect in preventing the capture of cotton by raiding parties from the Federal blockading ships.

Our long line of frontier, subject to Indian raids and threatened with invasion by the Federals from the northwest, did not present so difficult a problem as the defense of our many hundreds of miles of seacoast. The former we had been accustomed to protect from the earliest days of the Republic down to the time of annexation, and often subsequent to that time, and we had a population well fitted and prepared for that mode of warfare. But our coast line, reaching from the Sabine to the Rio Grande, was, from the beginning of hostilities, at the mercy of an enemy who possessed a navy, while we were without a warship of any character, without shore batteries, and without heavy guns. At once the Confederates, with the limited means at command, began to erect earthworks, providing them with what guns we could procure; but our shore batteries after all were very few, of hurried and rude construction, and equipped with short-range guns,—so that it required great vigilance to see that launches from the blockaders were not allowed to land. That we had no deep-water ports was much in our favor, for vessels of heavy draught could not cross our bars, and the Federals, except in a few places, could only send launches to the shore for the purpose of depre-
dating.

To meet and repel the enemy in his carrying out of such tactics, I organized a body of irregular troops called the "coast guards," and these proved themselves to be equal to the work assigned them, responding intelligently and effectively to the demands of every emergency.

Rumors of the proposed evacuation of Galveston soon began to reach me at the capital. It was reported that all portable property, public and private, was being moved from the island; that the hospital stores and the sick had arrived in Houston, and that the *Galveston News* had taken quarters at the latter place.

From General Hebert's well known despondency and lack of any definite plan of defense, it was easy to believe that these rumors had some foundation.

To encourage Hebert in the discharge of his duty, I wrote him a letter offering to share with him the responsibility of burning the city of Galveston, if he thought best, on its evacuation.

While disclaiming any disposition to interfere with the defense of the State, I said in this letter, dated December 7th:

"I wish you to understand that I am willing to and will share with you any responsibility you may be called upon to take in the delicate and arduous duties you are compelled daily to perform.

"It has appeared to me that the various channels across the bars should be immediately closed, including the Bolivar channel and the one at the west end. If these channels are allowed to remain open the enemy will most certainly be enabled to take possession of the bays and the mouths of the rivers, Trinity, San Jacinto, Buffalo Bayou, etc., and can also get sufficiently near the railroad bridge at Virginia Point to destroy the bridge and the works at the point. . . . Every effort should be made to prevent the enemy from effecting a landing, . . . and to drive them off entirely, or much crippled, in their attempt to land.

"If, however, it is found impossible to prevent the enemy from taking possession of the island, then I would suggest, as a dernier resort, that the city of Galveston be entirely destroyed,—buildings and everything else which can afford them comfort, convenience, or shelter. Every cistern (wooden or brick) should be entirely destroyed, the water turned out, and the cisterns made wholly unfit for use again. The stock, including horses, cattle, and sheep, to be driven from the island, and every spear of grass burned.

"If you should leave the city unharmed, the enemy will go into the most delightful winter quarters, with every comfort and convenience. . . . On the contrary, if you should destroy the place, turning off the water from the cisterns, they will be exposed to the severe northers and rains that will soon be upon them, forced to drink salt or brackish water, and be compelled to abandon the point or visit the mainland for wood and water, where you would be able to cut them to pieces. Constant exposure and bad water would produce their results, and the whole force thus subjected to disease and death.

"If the enemy is permitted to capture the city of Galveston without a fight, and a severe one at that, . . . it would dispirit the people from one end of the State to the other; if there be treason hiding its head in the land, it will rear itself in our midst, ready to yield a willing obedience to the invaders, . . . if by so doing, the homes and property of traitors would be secure from destruction by the enemy."

General Hebert, in his answer, thanked me for my proffered co-operation, but said nothing of my suggestion as to Galveston.

In a few days Mayor Thos. Joseph wrote me that the citizens of Galveston had been informed that I had ordered that city burned, and "that, while they were ready to make any sacrifice for the public good and to regard any required act of military necessity a patriotic duty, they would like to know the circumstances under which the Governor had advised the burning." This letter was the outcome of a meeting of the city council, called at the suggestion of M. M. Potter, representative in the Legislature from the Galveston district.

Replying on December 19th to the mayor's communication, I enclosed a copy of my letter of the 7th of December to General Hebert, and said, among other things: "In writing the letter to General Hebert, I was actuated alone by a spirit of patriotism and determination, on my part, . . . to show to an unnatural and vindictive enemy a settled purpose on our part to resist to the bitter end, that we were prepared for a sacrifice of property, life, and all but honor, in the present struggle. Having had no communication with General Hebert on this subject, and hearing daily rumors in regard to the evacuation of Galveston, I deemed it my duty to make such suggestions as appeared proper under all the circumstances. The letter speaks for itself. I had no right to give an order to the commanding general. I made suggestions to him, and assured him that, if he deemed the destruction of Galveston a great military necessity, I would most cheerfully share with him any responsibility taken in the premises."

Repelling with scorn the imputation of personal hostility to the city, I went on to say: "I have from 1836, when Galveston was a barren island, . . . to the present moment, watched with pride and pleasure the city's rapid strides to greatness and

wealth, and nothing but considerations of great military necessity would cause me to see one stone or plank from the many beautiful buildings that adorn this, our lovely island city, removed from its proper place; but I will repeat what I have said in substance to General Hebert, that I would rather see the city one blackened ruin than that a miserable, fanatical, abolition horde should be permitted to occupy it, gloating over their gains and laughing to scorn our abandonment of so important a strategic point."

In concluding, I promised that when official duties would permit, I would visit Galveston and make any other explanation deemed necessary. I had nothing to hide from anybody, and upon the first intimation of the sentiment in Galveston I made the desired information public. When at Galveston, in March, 1862, I made a speech at the Tremont, explaining fully all the circumstances. I claimed that the suggestion, not order, made in that letter was the prompting of as patriotic a heart as ever urged the defender of his fireside on to duty and to battle. I did not try to cover the letter up, as many would have done, by saying that it was written in order to scare the enemy away from our shores; but said, instead, that in all sincerity, as the head of the people, I was first, when I thought it necessary, to take upon myself the responsibility of broaching that which seemed an inevitable consequence at the time. I told the people that I was prompted by the conception of what was right.

Letters were written me by many old and honored citizens who entertained views similar to my own,—by Ben C. Franklin, A. C. McKeen, and others. They did not blame me; but, on the contrary, said we were in a struggle in which such things might be admissible, if it was intended to carry out the purpose for which the civil conflict was instituted. Nor did the people show me any indignities, or indicate in any way that they thought less of me.

The newspapers of the State generally sustained me in this matter.

The *Houston Telegraph* said: "The same reasons which induced the Russians to burn Moscow to prevent its occupation by the French might apply with equal force to the case of Galveston, but we hope not."

Replying, on December 24th, to General Hebert's letter of the

17th, I took occasion again to say: "It is my earnest desire to co-operate with you in the most efficient and speedy mode to concentrate troops under your orders, so that an adequate force may be thrown in the face of the enemy and his assaults beaten back, no matter in what quarter made." I approved his reprobation of the irregular way in which troops had been raised in Texas without the knowledge of the authorities in the State. I requested him to subject to his orders the regiments of Colonels Locke and Maxey, believing that they might be more profitable on the coast than on Red River, their prospective winter quarters.

I also made the best argument in my power to induce him to take into service, for immediate use, six months men. General Hebert had already announced his policy of not accepting any more commands except for the war. But about the time he wrote me he authorized Col. H. E. McCulloch to receive, for special service on the Rio Grande, troops for twelve months first, and later for six months. This had the desired effect, and the Rio Grande district soon had sufficient troops to hold it against any apprehended attack in that quarter. I closed with these words: "I entertain the hope, sir, that when we succeed in organizing the State troops under the late law, enlistments will go on with alacrity and rapidity for the terms the exigencies of the service may demand; for I do not believe that the Texan people will so far forget themselves as to wait to be drafted."

I vetoed a bill making an appropriation for the mileage and per diem of the members and officers of the Ninth Legislature. It, among other provisions, authorized for that purpose the use of various special funds in the treasury. It was also provided in the bill, that for any balance that might be due the members and officers after exhausting the funds in the treasury, the Comptroller should draw his warrants upon the county tax collectors in their favor for such amounts. Upon reading the bill over rapidly, I was struck with astonishment that the Legislature should appropriate to their mileage and per diem these special funds.⁴⁹ In addition to that they asked for warrants on the

⁴⁹ The amounts of these moneys then in the treasury were \$2183.01 from escheats, \$159.54 from estates, university fund \$1517.90, common school fund \$4520.10, a total of \$8380.45, all in specie.

collectors for any balance that might be due them, which meant that they were to receive gold and silver, while the other employes of the government, and the debts of the State, were being paid in depreciated currency.

Impressed with the injustice of the measure, and believing as I did that it would have a discouraging effect upon the people generally, without stopping to consult with my Secretary of State or other friends, I vetoed the bill at once. Upon its return it was received with storms of indignation, members charging the Governor with unwarranted attacks on the Legislature and unjust reflections upon their patriotism. A few of the members went so far as to say to me that the sentiments expressed in my veto message were demagogical. I replied to them that I was actuated in vetoing the bill by no other motives than justice and patriotism; that, however, had I been seeking for an opportunity to strike the chord of popular favor and gain the approval of the masses, they had most certainly furnished the opportunity, and that I would venture to say that no one outside of those directly interested in the bill, and who voted for it, would justify their action. The vote in the House was 52 to 24 against the veto. The necessary two-thirds required to override it were not secured in the Senate, however, the vote in that body being 16 for and 10 against sustaining the veto, and the bill consequently failed to become a law.

A very remarkable and, it is believed, unprecedented action was then taken by the Legislature. A joint committee was appointed to report upon the veto message, although it had just been sustained by legislative action. The movers for the appointment of this committee claimed that the message reflected so severely on those voting for the bill that it was necessary to make an explanation in that way to their constituents and the country. The committee made a majority and minority report. The majority report stated that the bill was sanctioned by established precedent;⁵⁰ that former administrations had used such funds, and that there was nothing in it to call forth such a veto; in fact, that the amount involved was "small game for such heavy artillery."

⁵⁰ Governor Houston's administration.—ED.

The very able minority report declared that the veto was justifiable and proper; that it was the prerogative of the executive to exercise the veto power whenever, in his judgment, it became necessary to bring it into requisition to stay improper or hasty legislation, and that the Legislature had sustained the veto, and that action should have closed the incident. The reports can be found set out in full in the Senate Journal of the regular session of the Ninth Legislature.

The following gentlemen signed the minority report in favor of sustaining the veto: Geo. B. Erath, of the Senate, and Geo. D. Manion and Frank E. Williams, of the House of Representatives.

It will be noticed that Capt. Geo. B. Erath signed the minority report. He was well known to all Texans as one of the most patriotic of men; a San Jacinto veteran, distinguished as a gallant soldier; a pioneer of great energy and determination; a successful Indian fighter and ranger, and from long experience and great intelligence a safe and conservative legislator. The other signers, Geo. D. Manion and Frank E. Williams, were young men of strong and widely recognized intellectual force. Frank E. Williams, who wrote the report, was from Rusk, Cherokee County, and was one of the ablest men in the House of Representatives.

The following passages from the veto message give its salient points:

"The second section [of the bill.—ED.] provides that for the payment of the members of the Legislature and the officers of both houses the Treasurer may use any funds in the treasury belonging either to the proceeds of the sale of the University lands, the settlement of the successions of deceased persons, escheated property, or the sinking funds on railroad bonds; provided, however, that whenever any of such funds shall be used the Treasurer shall replace the amount so used with bonds of the State for like amount, and that each member shall receive his fair proportion of such funds. . . .

"If this act should become a law all the present available funds in the State treasury, of every description, will at once pass from the vaults of the treasury into the hands of the beneficiaries under the act.

"While I believe that the State should pay, to the utmost of its ability, all its officers, both civil and military, yet in the present critical condition of our beloved State and Confederacy, I confess I would witness with feelings of the deepest sorrow the last dollar drawn from the treasury unless to furnish arms, ammunition, and clothing to her gallant sons, who are now so proudly vindicating the fame of the Texas soldier.

"The moneys arising from the sale of University lands were intended for a wise and beneficent object, and I greatly doubt the wisdom of disposing of them for the purpose indicated in the act under consideration, or for any like purpose.

"The funds arising from the settlement of the successions of deceased persons and escheated property belong in all probability to minors and orphans who have no legal protection or guardians to demand these in their names. I am further informed by the Treasurer, in the statement herewith submitted, that he has unofficial information that a large portion, if not all, of the last named funds will probably be shortly demanded by their rightful owners.

"There is still more grave and serious objection to the proposed appropriation of the sinking fund on railroad bonds."

[The message goes on to show that by former legislation the sinking fund paid into the treasury by the railroad companies had been, by the consent of the roads, or a majority of them, passed to the credit of the school fund "as will be found in the Comptroller's communication on this subject."—Ed.]

" . . . At a time when every energy of the State should be husbanded for defense we should carefully guard against draining the treasury (to meet the ordinary expenses of legislation) of special funds, protected by constitutional provision or held in trust subject to the use of others. The time may speedily come when self-preservation will demand that every resource of the State be put into requisition for the defense of our liberties and hearth-stones: but surely the appropriation of these funds can be justified only by the grave necessity of employing them in defending and preserving the lives and liberties of the people. . . .

"Futhermore, the proviso to the second section, which was no doubt intended to furnish a substitute for the funds so with-

drawn, appears to be wholly inadequate to the attainment of the object desired. It provides that the funds so withdrawn shall be replaced by the Treasurer with State bonds for a like amount. From whence are all these State bonds to be obtained? By whom and when, and how issued? How signed and countersigned? When and to whom payable? What rate of interest, if any, are they to bear? And how is such interest to be paid? On all these points the act is silent. It would be well before disturbing these funds to provide in the clearest and most unmistakable terms for their return to the treasury within a short and given period of time."

This was my only veto, and the momentary irritation arising from it was soon allayed, a large proportion of the men who opposed the measure soon coming to acknowledge its propriety, and my relations with the Legislature during the remainder of my term,—so busy and so full of suggestions and actions,—was of the most pleasant and harmonious character, the legislative and executive branches of the government working in complete unison for the good of the country.

In addition to the discharge of the routine duties of the Governor's office I, without delay, bent my energies to the formulation and adoption of measures to prevent the invasion of the country by the enemy, to provide material, supplies, and arms for the defense of the State and of the Confederacy, and to properly care for the families of our soldiers battling at the front.

From the time of the secession convention our citizens began volunteering, and the organization of regiments throughout the State was actively going on. Texas had now about 20,000 men in arms, as before stated. Already Texans were doing faithful duty in the Confederate army hundreds of miles beyond the borders of the State,—Hood, Wigfall, and Archer were in Virginia; Terry, Tom Lubbock, and Gregg in Kentucky; Baylor in Arizona; Greer and Locke in Missouri, and Ben McCulloch in the Indian Territory.

Camps of instruction had been established at various points in the State, where men were mustered in, equipped, and drilled for service. My first work was to push on to completion organizations that were forming, and then to raise additional regiments. The State troops were transferred as rapidly as possible to the

Confederate service, as the sooner this could be done the less would be the expense to the State.

Such gallant frontiersmen as Hays, Walker, Burleson, Ford, McCulloch, Ross, and Baylor had in time past made famous the Texas Rangers and demonstrated their superiority over the United States regulars for frontier service, and men of this class were now in special demand.

Baylor and Ford, sent out by the convention with a regiment to the Mexican border, were rendering a good account of themselves. The first had already conquered Arizona, and the second held by a tight grip the lower Rio Grande.

CHAPTER TWENTY.

The Frontier Regiment—Militia Organization—Message on United States Bonds—The Military Board—Letter to Me from Secretary Benjamin—Exchange of United States Bonds for Confederate States Bonds—Opinions of Wigfall, Hemphill, Waul, and Reagan—My Reply to Secretary Benjamin—The Board's Circular Address—Arsenal, Cap and Cartridge Factory at Austin—War Legislation—Colonel Baylor, Conquerer of Arizona—President Davis on Retaliation—The Twin Sisters—Attitude of Texas in the War—Mason and Slidell—Confederate Disasters—Coast Army Ordered to Arkansas.

President Davis had at an early day authorized the raising of a regiment of mounted riflemen for the protection of our Indian frontier. The time of service of this fine regiment, commanded by Col. Henry E. McCulloch, was almost ready to expire, when the settlements would be left exposed to Indian forays. To meet this pressing emergency a law was enacted on December 21st calling into the State service for the special protection of our Indian frontier an organization known afterwards as the "Frontier regiment," but subject to the rules and regulations of the Confederate States army. These troops were to be stationed outside of the settlements at posts about twenty-five miles apart, as nearly as practicable, on a direct line from a point on Red River, in Montague County, to a point on the Rio Grande, and thence down said river to its mouth.

Our representatives in Congress were directed to urge the acceptance of this regiment by the Confederate government, with the understanding, however, that it was to be under the direction of the State authorities, and not to leave the limits of Texas, and the men were to be disbanded by the Governor "whenever, in his judgment, their services shall no longer be necessary for frontier protection."

It fell upon me also to appoint an adjutant and inspector-general for the State, and for each congressional district one aide-de-camp for my staff. I was authorized to order a draft from the enrolled militia should a sufficiency of volunteers fail to respond to my call for troops.

The frontier regiment was well officered by men of large fron-

tier experience, good Indian fighters, and brave soldiers. The first officers were: James N. Norris, of Coryell County, colonel;⁵² A. T. Obenchain, of Parker, lieutenant-colonel; James E. McCord, of Hays, major. After Obenchain was killed, McCord was promoted to lieutenant-colonel, and J. B. Barry, of Bosque County (known as "Buck" Barry), appointed major. Barry was quite distinguished as an experienced frontiersman and Indian fighter.

The entire organization was made up of men already living in the counties to be protected, the law prohibiting the enlistment of men from other localities. The intention was to have only hardy, brave men, who would be directly interested in giving good protection to their own homes, and also to keep those who wished to avoid Confederate service from moving to that part of the country.

In a message to the Legislature in reference to the important matter of proper militia organization, I said: "In case of invasion by the enemy the militia is our chief reliance for defense, but organization is badly needed. The inefficiency of the present militia law being now demonstrated, our necessities require a new and more efficient law for the complete organization of the military force of Texas. A law simple in form and easy of execution is demanded, under which every able-bodied man in the State liable to military duty shall be enrolled, disciplined, and placed under the command of good and efficient officers. All able-bodied men in the State between the ages of 17 and 50 should be subjected to military duty with certain exemptions."

Referring to another important matter I said: "I would call the attention of your honorable body to the exposed condition of the gulf coast and the imperative need for heavy guns in that quarter, and this without any lack of confidence in the Confederate States government to do everything in its power for our defense. But we may have to depend upon such ordnance as we have or are able to manufacture within this State. There are artisans among us who understand the manufacture of can-

⁵² Among other names considered for the appointment was that of Dr. R. M. Gano, member from Tarrant. This gentleman afterwards became distinguished as a cavalry officer under General John H. Morgan, and finally attained a brigadier-general's rank.

non and muskets. Their services should be utilized, if possible. There is iron in Eastern Texas well adapted to the purpose, and steps should be taken at once to effect the manufacture of arms, either through contract with private parties, or by means of a State foundry."

Responding to the first of these recommendations, the Legislature enacted a law to perfect the organization of the State troops and place them on a war footing. It was approved by me on Christmas day, 1861. This act was comprehensive and elaborate in detail. It began by making liable to military duty all the white male inhabitants between the ages of 18 and 50 years, with these exceptions: "Postmasters and mail carriers, ferrymen on public roads, judges of the Supreme and District Courts, and clerks of said courts, Secretary of State, Comptroller and Treasurer of the State, chief justices and clerks of the county courts, all officers of the Confederate States, engineers and conductors on railroads, officers and crews of steamboats, sheriffs, and officers of the penitentiary."

The State was divided into thirty-three districts, each to be commanded by a brigadier-general. The following is an approximately correct, though not official, list of those who were elected and served as brigadier-generals under this arrangement: Thos. B. Howard, Geo. W. Van Vleck, F. B. Sublett, Drury Field, Sam Henderson, F. A. Harris, W. P. Saufly, G. H. Wooten, Alex Smith, D. B. Martin, W. M. Taylor, S. M. Flournoy, W. H. Hoard, A. E. Pace, H. F. Young, W. J. Kyle, Thos. M. Blake, W. B. Middleton, Henry Jones, Nat Terry, William Hudson, Wm. G. Webb, John Sayles, D. E. Crossland, S. B. Conley, N. G. Shelley, H. P. Hale, John Scofield, W. W. Dunlap, W. B. Knox, Robert Becham, H. Clay Davis, and J. Magoffin.

In answering, January 3, 1862, a letter from Col. James I. Cook relative to the military situation on the coast, I said:

"I appreciate fully the critical condition of our State should the enemy determine upon an invasion of our soil. Recognizing fully the necessity of State action in my inaugural, as also in my message, I urged upon the Legislature that every means should be adopted by them to put the State in a proper position of defense from the seacoast to the mountains. I have time and again urged upon individual members of the Legislature the im-

perative necessity of using forthwith all available means in the treasury for the purchase of arms and munitions of war, and to place all the resources and securities held by the State either in the hands of the executive or some other agent, that they might be used in carrying on the war in which we are engaged. Up to this time I am very sorry to say that, although many propositions have been introduced in the Legislature, no measures looking to the great necessity of self-defense have passed and become the law of the land.

"The suggestions you make are true. They are well worthy of the prompt attention of the Legislature. I have already read your communication to several members pointing out the feasibility of the plan you propose, and have urged upon them early action in the premises. I fear many of our legislators do not rise up to the important struggle we are engaged in, and are timidly hesitating to involve the State in an indebtedness that must follow the placing of the State on a proper war footing.

"Notwithstanding the importance of immediately placing the State on a war footing to resist impending evils, I am wholly powerless to move in any direction to accomplish this desirable object unless the Legislature shall in its wisdom clothe me with authority to do so.

"I shall be pleased at all times to receive any suggestions you may be pleased to make, with the assurance that I will bestow upon them due consideration, for I can truly say to you that the utmost of my desire is to protect the State and the people from invasion."

A few days after penning the above I sent the following message to the Legislature:

"I am this morning in receipt of important intelligence of great vital interest to the State of Texas as well as to the Confederate States, and forthwith lay it before you for your action, knowing that your patriotism will move you to wise conclusions.

"I herewith enclose you a copy of a letter received by me this morning from the Hon. J. P. Benjamin, Secretary of War of the Confederate States, by which it will be seen he proposes to substitute for any amount of United States 5 per cent bonds in possession of the State of Texas which can be used in the pur-

chase of arms and ammunition, Confederate States bonds bearing 8 per cent interest.

"I am also in receipt of letters from our members in the Provisional Congress, L. T. Wigfall, John Hemphill, and T. N. Waul, which letters I herewith transmit you, all urging upon me the acceptance of the proposition made by the Secretary of War.

"I am also informed by Mr. Giddings, who conveyed to me these papers, that our other members present at Richmond also favor the exchange, and that their letters may be daily expected.

"It appears to me that the arrangement proposed would be a most advantageous one for the State, and the parties directly interested in the United States bonds now in the treasury greatly benefited by the exchange. The best we can hope for would be the assumption of the payment of the United States bonds by the Confederate States at a very remote period after the present war terminates.

"Should the United States, after the declaration of peace, agree to pay her bonds now in the treasury of this State, at what time can or will it be done? My own opinion is that that government will be so totally and wholly bankrupted by the present war that she will never be in a condition to pay these bonds, no matter how great her willingness may be. Therefore, in a financial point of view, it is very clear to my mind that the interest of the State, the school fund, and the parties who expect to be benefited by the use of these bonds, would all be greatly advanced by the proposed exchange.

"Other considerations of a patriotic character rise higher than all pecuniary interest, and appeal loudly and strongly for the State of Texas to take some action in the direction indicated.

"Our country is engaged, as I have oftentimes repeated, in a just, holy, and important struggle. What we most require in order to enable us to bring this war to a speedy and successful termination is the proper arming of our people and obtaining the necessary munitions of war. We have now an opportunity of contributing largely to that end without injury to ourselves, and without the creation of any additional State debt; and I trust, gentlemen, you will meet the crisis, come to the support of the Confederate government, and by your action on this sub-

ject inflict a heavy blow upon our enemies, and sustain the patriotism and devotion of the State of Texas to the great cause in which we are all embarked.

"I also transmit a letter on the same subject from Hon. Jno. H. Reagan."

Two days later I approved a bill entitled "An Act to provide funds for military purposes."

The first section of this law created a Military Board, consisting of myself, the Comptroller, and the Treasurer, and by the other sections we were empowered "to provide for the defense of the State by using any United States bonds in the treasury," express authority being given us to substitute them in equal amounts for bonds of the Confederate States.

On the same day, January 11, 1862, I approved another bill on the same line entitled "An Act to provide arms and ammunition, and for the manufacture of arms and ordnance for the military defense of the State." Under this law (for the purposes above named) was appropriated the sum of \$500,000 of the bonds authorized to be issued by the Act of April 8, 1861.

The Military Board was authorized to dispose of said bonds in any manner it might see proper and find necessary to the accomplishment of the objects enumerated in the law conferring this power.

Under the terms of the various enactments enumerated the board was given a wide margin of discretion. We might sell bonds straight out and then buy arms and ammunition, or barter the bonds directly for arms and ammunition, or for anything else contemplated by law. We were also invested with power to appoint one or more agents to negotiate bonds, purchase arms and ammunition, or superintend the manufacture of arms and ordnance, and to allow them reasonable compensation for their services. We might further, if we deemed such action advisable, establish a foundry for the manufacture of ordnance, and one or more manufactories of small arms at convenient places in the State. The act conferring the last mentioned authority went into effect immediately on its passage and carried with it an appropriation of \$500,000 to carry out its provisions.

By an act entitled "An Act to appropriate funds for military purposes" (approved January 14, 1862), \$1,000,000 were appro-

priated for military purposes, as follows: "For the support, comfort, and efficiency of the State troops, if called into active service; for the purchase of arms and munitions of war of all kinds that may be necessary and proper; for the manufacture of such arms and munitions, and the purchase in any market of materials therefor; for procuring necessary armories, and other places for storing military property; for preservation, care, and use of such property; for stationary works of defense, nautical vessels, and instruments, if needed; for the necessary maintenance of troops along the interior frontier under the law for its defense, and for all necessary and proper incidents of the foregoing military purposes."

For the purposes above enumerated Confederate money and specie (except that coming in from specific taxes and special school funds) might be used; provided, first, \$25,000 in specie should be set aside for the asylums in Austin; \$300 for payment of postage for the executive and other departments, and \$1200 for obtaining blanks for treasury warrants.

Even at this early period of the war paper money, whether State or Confederate, was circulated at a considerable discount, and certain articles could be had only for specie or hard money—gold or silver.

The foregoing acts creating the Military Board with ample powers, and providing a fund for the military defense of the State, was the kind of desirable legislation hinted at in my letter to Colonel Cooke.

The board organized at Austin, January 13, 1862, and at once entered upon its official career. I was chairman. My private secretary, W. M. Walton, temporarily acted as secretary, and was allowed extra compensation therefor. My associates, Comptroller C. R. Johns and Treasurer C. H. Randolph, were men of sterling worth, great energy, and excellent business capacity, and we worked together with complete unanimity as to personal and political sentiments, ideas as to what should be done, and the means to be employed in carrying into effect the plans we determined upon.

At this first meeting of the board I laid before it the papers I had submitted to the Legislature, to wit, the letter of Mr. Benjamin to me, and the endorsement of the same by our lead-

ing statesmen at Richmond. Below appears Mr. Benjamin's letter in full, and only such parts of the others as are relevant to the subject:

"CONFEDERATE STATES OF AMERICA,
"WAR DEPARTMENT,
"RICHMOND, 2d December, 1861.

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"Sir: The ordnance bureau of this department has employed Mr. G. H. Giddings, of your State, as its agent for the purchase of arms. Mr. Giddings has made arrangements for such purchases in Matamoros, payment to be made in the United States bonds now held by your State which as he thinks can be used for that purpose, if you consent.

"The object of this letter is to inform you that if you will make use of the United States bonds in your possession in the purchase of arms to be approved by Mr. Giddings, at prices satisfactory to him, this government will receive the arms from you at cost and charges, and pay for them in its own 8 per cent bonds.

"By this arrangement you will succeed in exchanging your United States bonds, now useless and bearing only 6 per cent, for the bonds of the Confederate States bearing interest at 8 per cent, and receive the interest regularly and punctually.

"I hope your excellency may deem it consistent with your sense of public duty to make an arrangement which seems to be recommended by so many advantages.

I am, y'r ob't serv't,

"J. P. BENJAMIN,

"Secretary of War. '

"His Excellency Francis Lubbock, Governor of Texas."

In reference to the above proposition, General Wigfall thus wrote me from the headquarters of the Texas brigade at Dumfries, Va., December 9, 1861:

"Dear Governor: . . . I have no hesitation in advising that you accept the proposition. The United States bonds must, of course, at the end of the war be recognized by the United States government: but will that government ever be able to pay them? I think not. It will come out of this war utterly

and hopelessly bankrupt, whereas the bonds of the Confederate States are amply secured, and must be at all times at par, if not above."

Confederate States Senator Hon. John Hemphill, in his letter to me, said:

"I cordially recommend you to accept the proposition. . . . The State, so far from making any sacrifice, will exchange bonds which are now, and will probably always be, worthless to her for stock now at par, and whose value will be commensurate and co-existent with the government itself."

Congressman T. N. Waul, from Richmond, under date of December 14, 1861, advised me thus:

"Mr. Benjamin's letter meets with my cordial approval, and I hope it will meet your approbation. The investment is a good one under any circumstances."

Postmaster-General Jno. H. Reagan, under date of December 14, 1861, wrote me as follows:

"It is understood that arms can be purchased with the United States bonds as cash. Our State can not at this time realize either principal or interest on the United States bonds. And their payment may be repudiated by that government if they remain the property of the State; and I recommend to your favorable consideration the proposition to exchange them for Confederate bonds.

"On the subject of the manner of making the substitution, I have only to say that if it can be done it would seem best for the State to make the exchange of the bonds, and allow the Confederate States government to take the responsibility of its own transactions in the purchases to be made with the United States bonds."

After due consideration of the above letters we delivered on January 13, 1862, to G. H. Giddings⁵³ one hundred United States bonds of \$1000 each, bearing 5 per cent interest, and Mr. Giddings receipted us therefor. "With the positive understanding," says his receipt, "that the War Department will recognize my au-

⁵³ Under date of December 12, 1861, Secretary Benjamin instructed G. H. Giddings, his agent in Texas, "to buy cotton with Confederate treasury notes, to ship to and sell the cotton at Matamoros, and with the proceeds purchase and pay for arms at that port."

thority, and pay over to the Military Board aforesaid bonds of the Confederate States for a like amount and bearing 8 per cent interest."

To meet any possible contingency the following was added to the receipt the same day and duly signed by Mr. Giddings:

"Now, it is expressly understood that should the war department fail or refuse to recognize my authority, or to pay over the bonds as stipulated, then I agree and bind myself, within ninety days from the date of this instrument, to pay to the said Military Board the amount of said bonds in Confederate treasury notes, Confederate 8 per cent bonds, or in arms and munitions of war at the price agreed upon in my contract with the Confederate government or the return of the identical bonds delivered to me."

On the same day, at the suggestion of G. H. Giddings, we appointed his brother, J. D. Giddings, as bearer of dispatches to Richmond, and instructed him to press forward as rapidly as possible. The most important of these was a letter from me to Mr. Benjamin. It was (omitting formal address and conclusion) as follows:

"Sir: Your highly esteemed favor of the 2d of December, 1861, was received by me on the 9th inst. through Mr. G. H. Giddings. Immediately on its receipt, the executive having no control over the securities alluded to in your communication, I submitted the matters to the Legislature, then in session.

"The Legislature very promptly passed an act to meet the emergency (approved on the 11th of January, 1862), a copy of which I have the honor to transmit to you. The act is not as clear as it might have been, I presume from the fact that it was deemed best not to make known the particular character of the securities sought to be disposed of.

"You will perceive that by the act a Military Board is created, composed of the Governor, Comptroller, and Treasurer, any two of whom may act, etc.

"You will also see that the act contemplates that for any of the bonds disposed of (meaning the United States bonds) a like amount of Confederate bonds shall be placed in the State treasury to the credit of the funds to which these bonds properly belong, viz., the school fund.

"Upon an examination this morning of your letter to the ex-

ecutive, before referred to, the board was doubtful as to the authority of Mr. Giddings to receipt us for the bonds as the agent of the government; but, from our knowledge of Mr. Giddings, and the many evidences he has with him of the confidence reposed in him by the War Department, together with the fact that he is now expecting valuable arrivals at Matamoros, at his solicitation we have placed in his hands (as per receipt, a copy of which please find enclosed) one hundred thousand dollars of the United States bonds, which we trust will meet your approbation.

"The board would prefer, as Mr. Giddings is the agent of the government, to place in his hands the United States bonds that can be negotiated, giving the Confederate States government the entire control of them. In return, we expect to receive the Confederate bonds bearing 8 per cent interest, with, of course, the understanding that, should you fail to use any portion of the bonds, then and in that case the bonds so undisposed of will be received back by the State of Texas.

"These bonds belong to our school fund, and are held very sacred by our laws, as well as by the people. Nothing but a military necessity would induce them to divert them from that fund.

"Deeming this matter of great importance, we have dispatched Mr. J. D. Giddings, one of our most reliable citizens, to Richmond, that he might interview you on this subject.

"We trust that you will accept our proposals and that you will return by Mr. J. D. Giddings such acceptance, or that you will send to Mr. George H. Giddings full authority to execute to us the necessary receipts. We sincerely hope that, in the exchange of these funds, much benefit may be derived by the Confederate States, and that, by their use, arms, ammunition, etc., may be purchased, that will materially aid in driving from our soil the base and foul invaders."

In reply, Mr. Benjamin informed the board that he possessed no authority to make such an exchange, but that he would purchase of the State any arms and munitions of war that were procured by Mr. Giddings for these bonds.

Mr. Giddings was allowed ninety days to endeavor to negotiate the bonds. The Secretary of War having, however, notified the board that he could not ratify the agreement we had entered into with Mr. Giddings, we extended the time granted the latter

gentleman. Mr. Giddings attempted in various quarters to negotiate the bonds, but without success, and finally returned them to the board and they were placed back in the treasury.

In a "Circular Address" to the people of the State, the board made a strong appeal to their patriotism, invoking their hearty co-operation in all of the measures taken by it to provide for the defense of the country. Recognizing the fact that cotton was king, at least to the extent of furnishing the sinews of war, we announced in the address that large purchases of cotton were desirable, and for that purpose we offered in payment 8 per cent loan bonds of the State, calling for semi-annual payments of interest in specie. These bonds were in denominations of one thousand dollars each, with coupons attached. The address concluded as follows:

"The Legislature has done all it could have done for the defense of the State. The duty has been imposed on us to so appropriate the securities placed in our hands as to insure the defense of the State and the certain protection of the lives and liberties of the people. We are confident that our appeal will not be in vain; we do not doubt that you will rally to the call of your State; we can not believe that you will fail to afford the means to repel and chastise the insolent foe should he attempt to desecrate the soil of Texas with his polluting tread. . . . Then, freemen of Texas! your State demands your aid, not only for your own defense and protection, but for the welfare of generations yet unborn and the security of civil and religious liberty. Act, that you may remain free men!"

By virtue of the authority conferred by law on the board, we next proceeded to send agents abroad to negotiate some of our United States bonds for munitions of war, the one thing needful for the achievement of our independence. Other agents were appointed to purchase cotton with the loan bonds of the State, the cotton to be forwarded to and sold in Mexico, and the proceeds used in the purchase of various articles of prime necessity and to establish factories for the manufacture of arms and other needed supplies by the State.

Among other of our acts, we established an arsenal of construction at Austin. It was situated in the southeastern portion of the city, at the mouth of Waller Creek. The following were

placed in charge of the works : William Carson, superintendent ; Prof. Rossler, chief draughtsman ; James Brown, foreman of the wood department ; E. Perry and R. A. Miller, foremen of the turning and finishing departments ; Thomas Randolph, foreman of the foundry, and Joseph Marstella, foreman of the blacksmith shop. The plant was speedily put in successful operation and turned out a few first-class brass cannon that afterwards performed effective service for the Confederacy. The copper from which they were cast was brought from Mexico. The pieces were finished complete, thoroughly tested with double charges of powder and solid four-pound shot, and in workmanship, appearance, and excellence would compare favorably with any turned out by any cannon factory.

We also established a cap and cartridge factory at Austin, utilizing the Supreme Court building for that purpose. This building stood back of the capitol. Emil Durhea, an experienced chemist, was placed in charge as superintendent. All the machinery employed was made here at home. For instance, the two hat-cap machines (each with a capacity of 250 caps a minute) were built for us by E. Perry, assisted by R. A. Miller, and the rest by these gentlemen and others.

It was also a part of our policy to make advances in cash and cotton to private individuals, in order that they might be enabled to establish needed industries. On this line of work the board was almost in continuous session until the succeeding meeting of the Legislature, when the results were reported. My attendance was frequently interrupted by executive duties calling me elsewhere ; but the board did no work in the meantime which I did not heartily endorse.

Besides the act creating the Military Board and the others that have been enumerated, the same session passed various other laws partaking of the character of war legislation, among which may be mentioned acts to provide for the disposition of certain property belonging to the enemy then in the hands of the adjutant-general ; to provide for the construction of an efficient war marine, etc. ; to suspend all laws for the collection of debts ; to legalize actions of various county courts in issuing bonds for military purposes ; one providing for the pay of the State troops under the command of Col. John S. Ford on the Rio Grande ; to au-

thorize the county courts to levy and collect a special tax for war purposes; to appropriate money to defray all expenses necessary to secure and transport clothing, etc., to the Texas volunteers; to pay commissioners sent by the convention to the Choctaws, Cherokees, and other friendly tribes of Indians, and to Arizona and New Mexico; to create a hospital fund for the benefit of the sick and wounded soldiers of Texas in the Confederate army; to authorize the receipt of treasury warrants and Confederate notes for all dues and taxes, except the special specie taxes levied for the payment of interest and principal of loans, and interest on school fund loaned to certain railroads; and to define and punish sedition. Sedition, under the law, was declared to consist in maliciously and advisedly discouraging enlistments in the Confederate army, or in disposing the people to favor the enemy. It was made punishable by confinement in the penitentiary for a term of not less than three nor more than five years.

Among the private acts to aid in prosecuting the war were the following: To incorporate and confer special privileges upon the Texas Lead Mine Company, organized for the manufacture of lead; to incorporate the Fort Bend Manufacturing Company (capital stock not to exceed \$200,000), for the manufacture of all fabrics made in whole or in part of wool, cotton, silk, hemp, or flax, and also articles made of wood, iron, and steel (a wide range of business, truly); to relieve certain railroads of paying interest on borrowed school fund until six months after the end of the war; to amend the act incorporating the Southern Cotton Press and Manufacturing Company (capital stock not to exceed \$1,000,000), a corporation empowered by law to receive, store, warehouse, repair, compress, and rebale cotton, and to manufacture cotton rope, etc.; to incorporate the Texas Powder Company (capital stock, \$20,000), and directing the Land Commissioner to issue to said powder company six land certificates of 640 acres each, to be located on any part of the public domain from which could be procured the necessary ingredients for gunpowder (James R. Sweet, James Duff, Sam R. Maverick, Alex Young, and Francis Giraud were the incorporators); to incorporate the Texas Manufacturing Company (capital stock not to exceed \$250,000), and to authorize it to locate its plant or plants

anywhere in the State, and there engage in the manufacture of cotton and woolen goods, and any other fabrics, for home use.

These incorporated enterprises indicated clearly the trend of the public mind at that day; but several of them, on account of the insuperable difficulties in the way, never materialized.

Besides those mentioned, the Legislature passed an act authorizing the Governor to appoint agents to receive and forward blankets, clothing, and other articles to the soldiers of Texas. The agents were to obtain these much needed supplies by voluntary subscriptions from individuals and deliver them to the soldiers according to the wishes of the donors.

Having afterwards learned that articles so secured for our troops in the field were scattered all along the line, from Niblett's Bluff, on the Trinity, to Virginia, I called the attention of the Legislature to that fact by message, with suggestions of needful legislation. This resulted in the prompt enactment of a law appropriating \$5000 to defray all expenses necessary to the securing and transportation of "all clothing or other contributions to Texas volunteers, now or hereafter detained on the route, to their destination."

At the same session joint resolutions were passed memorializing Congress (in view of the circumstances enumerated) to suspend the custom-houses on the Rio Grande; to pay the per diem and mileage of the presidential electors for the election in 1861, in which Jefferson Davis was elected president of the Confederate States; commending Col. John R. Baylor and his men for the conquest of Arizona; and endorsing the stand taken by President Davis in the Savannah incident. The following is the text of the latter resolution: "Resolved, that we highly approve of the promptness with which the President of the Confederate States has made preparation to retaliate, in the event that the Lincoln government should execute, as pirates, any or all of the crew of the privateer Savannah; and we express the decided opinion that retaliation should be strictly and vigorously practiced by our government in all such cases."

In their letter to me of December 27, 1861, the Texas delegation in Congress say that, on presenting this resolution to President Davis, "the president, in very apt and graceful terms, ac-

knowledgeed his obligations to the government of the State of Texas for their endorsement of his action in the premises."

Another joint resolution was the following, relative to the "Twin Sisters" cannon, which, after they had been given to the United States government, had been at Baton Rouge:

"Whereas, the State of Louisiana having caused to be placed in order and delivered to the State of Texas the two guns known in the history of Texas as the 'Twin Sisters,' as a token of friendship towards this State, and desiring to return our acknowledgment of such a gift and to express our friendship and kind feelings towards our sister State:

"Section 1. Be it resolved by the Legislature of the State of Texas, that we receive the valuable and useful gift to Texas, and acknowledge our obligations to our sister State for the friendship and generosity so manifested by the donation of the guns that are so famous in the history of Texas.

"Sec. 2. Be it further resolved, that we assure our sister State that it is our desire to cultivate and perpetuate the friendly relations that now exist between this State and the State of Louisiana, and, should an occasion occur in which it will become necessary for Texas to use the 'Twin Sisters' in defense of the rights of Louisiana, Texas, or any other State in the Confederacy, and to repel the invasion of a despot, the sons of Texas will be found ready to man them and to remain by them until the invaders of our common country shall be driven from our soil.

"Sec. 3. Be it further resolved, that the Governor of the State of Texas be, and he is hereby, requested to cause a copy of these resolutions to be transmitted to the Governor of the State of Louisiana." (Approved January 13, 1862.)

The guns came in due time and were deposited at Austin. Maj. A. G. Dickinson, commanding the post at San Antonio, on November 30, 1863, wrote Maj. S. T. Fontaine, chief of artillery and ordnance for Arizona, New Mexico, and Texas: "The 'Twin Sisters,' I am informed are at or in a camp in the vicinity of Austin. They are in a deplorable condition, and I am fearful could not be used," and, continuing, referred him to Col. John S. Ford for further information. This is the last official mention of these guns, says the compiler of "Records of the Rebellion,"

published by the United States government since the war. The subsequent fate and present whereabouts of these guns (if they are still in existence) is unknown.

This Legislature, among its other acts, issued a solemn declaration to the world, defining the attitude assumed by Texas in the war: Among other asseverations in this document were the following: "The people of Texas do hereby assure her sister Confederate States and the world that she stands ready with heart and hand to resist our invaders until the last soldier is driven from our borders and until we shall conquer an honorable and glorious peace. . . . That the proximate cause of the dissolution of the Union was that the North had the power and had avowed the determination to deprive the South of social and political equality. . . . That we have unlimited confidence in the wisdom of our President, the skill of our generals, the courage of our soldiers, and in the final and glorious triumph of our cause."

I sent, as requested by joint resolution, a copy of this declaration to each of our representatives in Congress, and to the Governor of each of the Confederate States, with a request that they be laid before their respective Legislatures. The confidence announced in the final issue of events may be considered as a fair expression of the public sentiment of that day.

After the adjournment of the Legislature I was quite broken down. My physician, Dr. J. M. Steiner, advised that plenty of horseback exercise would soon bring me back to my usual fine health. Acting upon his advice, my horse was at the gate every morning soon after daylight, unless it was raining, and I mounted and galloped from four to six miles. For years of my life I had been accustomed to ride from five to thirty miles—sometimes fifty miles—a day, and my constitution demanded the exercise.

I was often cautioned and advised by prominent men and good friends that, in taking my long rides alone and in going to and returning from my office at night, I ran considerable risk of assassination, because of a lawless element and some few persons who were hostile to me in consequence of my enforcement of the laws, and particularly of my determined course regarding enlist-

ments in the service. I, however, fearlessly discharged my duty and was never molested.⁵⁴

Returning from my morning rides by the postoffice, it was my custom to get my letters, make the proper indorsements upon reaching home upon them, and as soon as breakfast was over go to my office prepared for the day's work.

My rides and the bracing morning air soon restored me to my accustomed robust health, and, with the exception of a few days' confinement from rheumatic fever, I enjoyed good health during my entire term of office as Governor.

In November, 1861, occurred the Mason and Slidell affair, which pointed to a rupture between England and the North. Captain Wilkes, of the Federal steamer *San Jacinto*, brought to with a cannon-shot the British mail steamer *Trent* on the high seas, in the West India waters, and took forcibly from her decks Messrs. Mason and Slidell, Confederate commissioners to European powers. The Northern masses received the news with the wildest delight, expecting a first-class hanging of traitors. There was still more joy, if possible, in the South, for we expected a war between England and the United States, which would have insured our speedy independence. In the British Isles the intelligence of the insult to their flag aroused a burst of indignant feeling, and her majesty's government was not slow to demand satisfaction. Meanwhile, the Lincoln government⁵⁵ had ratified and approved of Captain Wilkes' conduct, so far as the Navy Department and the House of Representatives were concerned. The British demand was the liberation of our envoys and a suitable apology to her majesty's government, with only seven days for a compliance.

⁵⁴ After the war was over, now and then some fellow would ask an explanation of why I treated him roughly on some stated occasion. I was generally able to satisfy him that there was no intention of doing him a personal wrong; that I was working for the general good; and if he was hard to satisfy I just left him to do his complaining with the remark: "Well, what are you going to do about it?" That generally settled the matter. At any rate I was never injured in any way by such malcontents.

⁵⁵ General Waul wrote me, December 28, 1861, on the Mason and Slidell affair: "If England does not compromise the matter the United States will back squarely down."

The growl of the British lion produced such trepidation in Yankeeedom that the anticipated pleasure of hanging traitors vanished at once. Mr. Seward released the prisoners with almost indecent haste, and made a most abject apology for the outrage. British moderation under the circumstances was wonderful, if not commendable.

Near the close of 1861 it seemed as if peace and independence were close at hand, but in a short time the prospects began to darken.

The capture of Roanoke Island was soon followed by the more serious disaster at Fort Donelson, which opened a way for the enemy to advance on Nashville. The Confederate authorities made herculean efforts to arrest the further progress of the enemy southward. Gen. Albert Sidney Johnston was gathering a large army for a decisive battle in Tennessee. The Secretary of War, under date of February 24th, sent an order to General Hebert, in which he said: "Our recent disaster in Tennessee has greatly exposed our line of communication with the West, and the importance of this line is so great that it must be held at any sacrifice. You are therefore instructed at once to send forward to Little Rock, there to report to Maj.-Gen. Earl Van Dorn, all the troops in your command for the defense of the coast, except such as are necessary to man your batteries. No invasion is deemed probable, but if any occurs, its effects must be hazarded, and our entire forces must be thrown toward the Mississippi for the defense of that river and of the Memphis & Charleston Railroad."

This order did not apply to the troops on the Rio Grande.

Slowly and with apparent reluctance, General Hebert proceeded, in compliance with Secretary Benjamin's order, to forward his troops to Arkansas. Failing to comprehend the military necessities of the Confederacy at large, the general felt mortified at the diversion of his best troops from the coast, and wrote me, in a letter dated San Antonio, August 28th:

"When, nearly a year since, I assumed command of this department, I immediately set to work to place it in a defensive position. This, I think, I was in a fair way of accomplishing when my best troops were ordered away. Our reverses at the time were no doubt a military justification of the orders issued,

yet the effect has been to paralyze my efforts and strip me of means of defense. . . . Tired of remaining here and filling the position of general recruiting officer for other commands and departments, I have applied to Major-General Holmes, commanding the Trans-Mississippi Department, to be assigned, in the coming campaign, to the command of the Texas regiments raised by me, now in Arkansas, and whose commanding officers desire to be under me, from written and verbal communications. . . . In the meantime, I will stand at my post and do all I can to defend this department. Should the enemy land or invade from any quarter, he shall be fought in some way, and with success if we can only get him into the interior.”⁵⁶

General Hebert's complaints were unreasonable. Had he used his troops, or proposed to use them to any effective purpose while he had them, I could have better sympathized with him. It will be remembered that he did not propose to fight for Galveston when threatened with attack in November and December, 1861.

⁵⁶ Hebert had already been superseded in the command of Texas, and was only awaiting the arrival of his successor.

CHAPTER TWENTY-ONE.

Arrival of Col. Tom Lubbock's Remains at Houston—Funeral Obsequies—Dearth of Arms—General McLeod—Memorial Services at Galveston—General Houston—Col. O. M. Roberts at Camp Lubbock—Austin Ladies Meet and Adopt Resolutions of Sympathy for Their Sisters in New Orleans—Blockaders Off Aransas and Velasco—Galveston Threatened—Flags of Truce—Martial Law—General Herbert Preparing to Evacuate Galveston—Conference of Governors at Marshall; Its Work and Results.

It had been my melancholy duty to announce to the Legislature the deaths of Senator John Hemphill at Richmond, and of Colonel Terry, of the Texas Rangers (Eighth Cavalry) at Mumfordsville, Ky., and next came the distressing intelligence of the death of my beloved brother, T. S. Lubbock, Terry's successor in command of the rangers.

"Quill," the Austin correspondent of the *Telegraph*, had this to say on the sad event: "The news of the death of Colonel Lubbock reaching Austin this morning, January 23, 1862, it casts a gloom over the entire community and wrings the heart of the Governor almost to bursting. His bosom friend Terry has but been just laid in the grave, and now the manly, heroic brother has yielded up his life. These brave men have fought the good fight,—they have done all that man can do, given up their lives in defense of the country. No mortal can do more. Their memories will live green in the heart of every son of the South. May God in His mercy deal gently with their loved ones on earth."

I immediately set out for Houston, where I met the remains. They were brought to that city from New Orleans, and were escorted from the depot by Capt. D. M. McGregor's company of home guards, followed by his excellency F. R. Lubbock, Governor of the State, as chief mourner, and a large concourse of citizens in carriages and on horseback, the cortege moving forward to the sound of solemn music. The eyes of many an onlooker were wet with tears as the body passed up the street to Academy Square.

Colonel Moore, as marshal, led the procession up Main Street. After religious services at Academy Square by the Rev. Mr.

Wagner, rector of Christ (Episcopal) Church, Hon. P. W. Gray delivered a eulogy eminently fitting the occasion and the man. The orator was at times almost too much affected to proceed. Indeed, all were affected, for all felt that they were engaged in the celebration of the last sad rites connected with the interment of the mortal form of a friend and true-hearted man, who had yielded up his life at the post of duty.

On the conclusion of the eulogy the procession formed in the following order: Home Guard, as a military guard of honor; Holland Lodge, No. 1, A. F. & A. M.; the body; horse of the deceased, led by his body servant; mourners; Colonel Moore's regiment as military escort; officiating clergyman and orator; members of the clergy, judiciary, bar, and medical faculty; mayors and aldermen of Houston and Galveston; Independent Order of Odd Fellows; General Hebert and staff, detachments of various regiments and battalions of the Department of Texas; Colonel Parson's regiment of cavalry bringing up the rear; the whole proceeding to the Masonic Cemetery, where the body of Colonel Lubbock was laid to rest with befitting civic and military honors.

A few days later the bodies of Senator John Hemphill and Gen. Hugh McLeod arrived by railway from New Orleans. They were received with distinguished honors by the military and the citizens. After lying in state in Turner Hall for a few hours the bodies were forwarded to Austin for interment.

"Quill," in the *Telegraph* of February 10, 1862, gives the following account of the burial of the distinguished dead at Austin: "The bodies of Judge Hemphill and General McLeod arrived in Austin on last Friday, just at night. They laid in state until the evening of Saturday, when the burial took place. Although the day was wet and cold, almost the whole population turned out to do honor to the distinguished dead,—the true statesman and the gallant and chivalrous warrior. Business was suspended; military companies, judiciary, bar, Masonic fraternity, all joined in the procession. The bodies were deposited in the State burial ground, where lie the remains of Burleson, Lipscomb, Britton, and Walker."

In compliance with an order from the War Department, on February 26th I issued a call for fifteen regiments of infantry, stating in my proclamation that unless that call was complied

with and the quota of Texas furnished, a draft would be resorted to. As so many troops had left the State without reporting to the Adjutant-General, it was impossible to know exactly how many regiments would be required to fill the quota of Texas, and the matter was somewhat delayed on that account.

Then the conscript act was passed, providing for the enrollment in the Confederate service for three years, or for the war, "all white men who are residents of the Confederate States, between the ages of eighteen and thirty-five years at the time the call or calls may be made, who are not legally exempt from military service."

May 7th I issued another proclamation reciting the above, and concluding with this exhortation:

"Great is the peril to our beloved country! Now in this, her day of agony and trial, she looks to her children to defend her. Will you come forward promptly and willingly to shield her, or will you wait, Texans, to be dragged to the field by a draft, or a conscription, or the fear of both?

"Come, then, at once in companies, squads, or singly, to the different camps established in the State, at Houston, Hempstead, Tyler, Victoria, San Antonio, Austin, Bonham, and near Brenham. These camps are now provided with the ordinary necessities of life, and men fighting for existence must not expect to be fed on luxuries. . . . This is the last opportunity that will be given to the citizens to choose their own service and officers. After this they will be enrolled and placed at once in the Confederate service."

A crisis was upon us, and evidently it would require strong, concerted action to stay the tide of invasion; and I gave honest warning to the people that even the oldest among those capable of bearing arms might be soon called out to defend their homes.

The men responded rapidly to the demands of their country, and in a few months the fifteen regiments were made up; but the greatest difficulty was in getting arms and equipments. Various suggestions were made as to some available substitute for the ordinary weapons of the modern soldier. The lance, the claymore, and the bowieknife had each its advocates.

Importations of arms and munitions of war reached us occasionally through blockade runners or from across the Rio Grande,

and some were coming in from home manufactories. But, from all these sources, the supply was insufficient to meet the appalling demands. Col. G. W. Carter's cavalry regiment first thought of arming with lances in lieu of something better; and the Legislature provided for a regiment of Mexican lancers on our side of the Rio Grande, but the scheme never materialized. The State arms collected by the chief justices of the various counties were of the crudest description and almost worthless for a soldier having to fight against the best armed troops in the world.

And this lack of arms and munitions of war being general over the Confederacy, it should never be left out of calculation in considering the battles of the civil war. Other things being equal, the best equipped armies always win.

Believing that my presence on the coast would have a beneficial effect, I left the capital and proceeded to Galveston, and there, on March 1, 1862, participated in memorial services in honor of the memory of the late Gen. Hugh McLeod. There was a fine display of the military and a large concourse of civilians. Hon. M. S. Munson delivered a most eloquent eulogy on the virtues of the deceased patriot. Then followed addresses by General Hebert and myself, and a grand review of the troops, about 3000 strong, well disciplined, and presenting quite a martial appearance.

I made a speech the next day at the Tremont, explaining the true meaning of my so-called "burning letter" to General Hebert, and complimenting the authorities and citizens on their preparations and the prospects for a successful defense of the island. Besides this, during my stay, I had the honor of two serenades. I went away exceedingly gratified at the improved state of public spirit everywhere manifest, and I entertained the hope that the Federal invaders would meet with a stout resistance on Galveston Island.

On my return I stopped over at Houston and visited the camp of Moore's regiment, in the vicinity. There I had the unexpected pleasure of meeting General Houston. The *Telegraph* of the 6th gives the following account of an incident that occurred during my visit to the camp:

"Governor Lubbock and General Houston happening to be at the camp of Moore's regiment last Saturday afternoon, the Gov-

ernor was called upon for a speech. He made a brief speech, in his usual felicitous style, urging the soldiers to guard well the honor of the State and do their duty manfully in the field.

"General Houston was then called upon for an address. He indorsed everything the Governor had said. He observed that he had differed with many of them in the beginning of the difficulties, but we were now in for it, and all his feelings and interests were bound up in the success of our cause. He was too infirm by reason of his old wound to go into the campaign himself; but he offered up his only son old enough to fight (Sam Houston, Jr., of Ashbel Smith's company, Moore's regiment) to the cause of his country. He complimented the men on their soldierly appearance and urged them to fight bravely for their liberties. He alluded to the atrocities of the enemy, and animadverted in severe terms upon their conduct. The general's speech was received with loud cheers, which fact must have shown him that, however much the people may have disliked his course at times, he has yet, personally, a warm place in their affections."

Anticipating an invasion of the State, and the Confederate government having ordered all of the available troops to leave the coast, I deemed it advisable to organize a small force to act as scouts and spies in the counties bordering on the gulf and accessible streams. I authorized the brigadier-generals of certain brigades to organize in each of such counties a company of twenty-five men, to be sworn in for the war, to furnish their own horses, arms, and subsistence, to be at all times subject to the control of the brigadier-generals. They were, when necessary, to aid in driving the stock of the citizens beyond the reach of the enemy, to see that negroes and other property of the people did not fall into the hands of the blockaders, and generally to perform such duty as the brigadier-generals might require of them. They were to receive no pay from the State; the only immunity accorded them for such service was relief from any other military duty. I considered it a good and necessary arrangement for the State. After the passage of the conscript act by the Confederate Congress, April 15, 1862, and complaint having been made that these companies were useless and should be forced into the army, I wrote a letter to General Hebert, in which I said: "I know that several of them have rendered valuable service. The

Confederate officers, with my consent, have employed some of these companies, as they inform me, to great advantage. They have at all times been ready to perform any service when called upon by Confederate officers. In justice to the men composing this organization, I will state that they were sworn into service long before the passage of the conscript laws. It can not, therefore, be charged that they sought this service to avoid conscription."

Chief Justice O. M. Roberts, of the Supreme Court, had resigned his position on the bench to enter the military service of the State. Colonel Roberts had been commissioned to raise a regiment of infantry, a branch of the service repugnant to Texans, the best horsemen in the world, and better adapted to the cavalry arm. His headquarters at this time were at Camp Lubbock, a few miles above Houston, on the bayou. His high character and patriotism gave him phenomenal success, and by spring he had raised twenty-two companies, mostly from the northeastern counties. In response to General Hebert's inquiry, "Can you aid me at Galveston in an emergency?" Colonel Roberts promptly replied: "I will come on call, at once, with my whole force." The emergency did not arise, but doubtless General Hebert felt more comfortable after the reception of this assurance of support. Colonel Roberts broke camp in May, marching to Tyler with his own regiment and five companies that went into Colonel Hubbard's regiment.

The battle of Shiloh was a great victory for our cause, but its effect was neutralized in a great measure by the death of Gen. Albert Sidney Johnston and the reverse that our arms sustained the following day, April 7th, caused by the overwhelming reinforcements of the enemy. A few weeks later followed the surrender of New Orleans, and it seemed to many that the Confederacy was about to collapse.

I did not share this feeling, but thought that success was within our grasp, if we would only prove ourselves worthy of independence by heroic sacrifice.

These successive Confederate defeats, unduly exaggerated as they were by our enemies, encouraged the expression of disloyal sentiments at Austin and elsewhere which had to be suppressed subsequently by the strong arm of the military.

Newspapers containing reprints of Butler's infamous order (No. 28), respecting the ladies of New Orleans, reached Austin about this time. This order, had the rest of his career been blameless, instead of being almost equally meretricious, would have justified the designation "Beast" that seems to be linked inseparably to his name. A meeting of the ladies was held at once to express sympathy for their sisters of New Orleans. Suitable resolutions were adopted, and these were forwarded to the mayor of New Orleans. Chief Justice Wheeler, Bishop Gregg, and myself addressed the meeting, cordially approving the action taken, and encouraging the ladies in this and every good work of tender sympathy and devotion to their country.

Late in February a vexatious little affair occurred near Camp Aransas on the coast. Unexpectedly one afternoon the Federals appeared in that vicinity with two launches and captured a sloop bound for Corpus Christi, and took from her a quantity of medicines and other articles designed for the government. Capt. B. F. Neal, in charge of the camp, ordered out his company, and, pursuing, exchanged several shots with the launches, and drove them back to the ships.

Somewhat chagrined at their escape, Captain Neal reported: "The enemy is becoming quite bold and daring, and will destroy the commerce of these bays unless checked in his buccaneering. . . . They have the advantage of us, possessing better boats and being more accustomed to them than we are."

This gallant officer had two six-pounders but no powder, at which he bitterly complained. This was an illustration of our disadvantages in the war.

In April, Colonel Bates, at Velasco, reported that a large steamer anchored off San Luis Pass the day before, displaying an English flag, a Confederate ensign, and what appeared from the shore to be a white flag. He said that Lieut. O. W. Edwards, with seven men, and Mr. Alexander Follett, a citizen in that vicinity, were decoyed aboard the vessel and held as prisoners, and that when night came on a party of the enemy, in Edwards' boat, passed our battery on San Luis Island, and captured and burned the schooner *Columbia* (in the rear of the island), laden with cotton. "Finally," said he, "owing to disobedience of Major

Perry's orders by Captain Ballowe, the enemy escaped to their ship, without loss." Several shots were then exchanged with the Federal steamer, but without effect. The captured crew and passengers of the *Columbia* were put ashore, after which the steamer stood out to sea.

An attack on Galveston had been for some time apprehended, and on May 14th Col. Jos. J. Cook, the commandant there, indicated (in special order No. 47 to Lieut.-Col. Manly, of the artillery), a disposition to abandon the island on the approach of the enemy. This order directed all commanders of batteries to make every arrangement to spike the guns of their batteries, destroy the works and gun carriages by fire, and fall back to the Houston & Galveston Railroad depot in good order, and there await further orders.

The next day the Federal schooner *Sam Houston* made a demonstration, coming within a mile of the shore, but, being fired upon by Captain Schneider's battery, quickly turned about and drew off.

May 17th Capt. Henry Eagle, of the *Santee*, commanding the United States naval forces off Galveston, dispatched the following, under a flag of truce, to the military commandant of the Confederate States forces at Galveston: "Sir: In a few days the naval and land forces of the United States government will appear off the town of Galveston to enforce its surrender. To prevent the effusion of blood and destruction of property which would result from the bombardment of your town, I hereby demand the surrender of the place, with its fortifications and all batteries in its vicinity, with all arms and munitions of war."

Colonel Cook⁵⁷ immediately forwarded the enemy's note to General Hebert, at Houston, for answer within twenty-four hours. General Hebert replied the same day to Colonel Cook, as follows: "Will send answer in the morning. In the meantime, prepare quietly to evacuate in the event of an overwhelming force making its appearance to bombard, as threatens;" and that night sent him the following order: "The company at Pelican Spit should be removed quietly. Spike the gun. Act so that the enemy's attention will not be called to your move. Call

⁵⁷ Colonel Cook and Captain Eagle were old friends and classmates at college, and had been together four years at sea.

upon the president of the railroad. Let there be no excitement. Let the flag stand at spit. Don't burn anything, for the present, to excite attention of the enemy."

On the 19th Colonel Cook thus addressed General Hebert: "I communicated to the commander of the frigate yesterday that the proper time for an answer to his demand will be when the land and naval forces referred to shall have arrived, and such an answer will then be given. This morning she has up a white flag, and I have sent out one. I am making the preparations advised, as well as I can."

Captain Chubb was sent out in the Royal Yacht and met the Federal flag of truce (coming in a ship's boat) midway, in full view of all. The flag was brought out by a midshipman and a smart crew of Yankee tars. As the boat came near, propelled through the water with lusty strokes, the Federal sailors looked up, recognized Chubb, and exclaimed: "Why, there's Captain Chubb!" "Yes," replied the captain, "this is Captain Chubb, that was hung for a pirate, and this," pointing to the boat, "is the Royal Yacht that was burned and sunk—all as good as new." The Federal midshipman was helped aboard by the captain, but was evidently much embarrassed at the sight of Chubb and the Yacht, both thought by the Federals, until that time, to have been safely stowed away in Davy Jones' locker.

Later Colonel Manly, under a flag of truce, met a Federal officer (Lieutenant Hart), who handed him his card with great formality. In reply, Colonel Manly, after fumbling in his pockets a few moments, dryly remarked: "We don't use cards in our service, and I have not a piece of paper large enough to write my name upon; so you must allow me to introduce myself by word of mouth," which he did with a kind of mock gravity.

The Yankee wished to return with Colonel Manly to Galveston, but he was informed that this would not be permitted except on the condition of his being blindfolded. The officer, not being willing to submit to this requirement, went back to his ship.

Colonel Manly brought in only a dispatch from Captain Eagle to the foreign consuls, and nothing for Colonel Cook.

Captain Eagle's note to the consuls was dated May 19th, and contained the following:

" . . . This demand [for the surrender of Galveston.—Ed.] having been refused, I have the honor to inform you that four days will be allowed you from this date in which to remove your families and property."

The foreign consuls asked that some place of safety be designated to which they might retire with their families, and suggested the Catholic convent in the city. To this reasonable request Captain Eagle replied: "It is not in my power to give you any assurance of security during the bombardment, for it is impossible to tell what direction the shot and shell will take."

"There is to be no surrender under any circumstances," said General Hebert in one of his dispatches. "There may be, however, an abandonment, in the face of a superior force (but nothing else), when it would be folly to attempt resistance."

I was in Houston at this time, and, to meet this emergency, I ordered General Howard, of the State troops, to muster into immediate service every citizen subject to military duty, and to co-operate with the Confederate States commanding officer at Galveston. A few hundred recruits were obtained opportunely by this order.

The laboring men, though offered large pay, refused to help remove the coal from Galveston Island, whereupon Colonel Cooke informed General Hebert, and advised the declaration of martial law as the proper remedy.

In quick response was issued Order No. 41, declaring martial law in Galveston and the neighboring coast counties.

This stringent measure had a good effect. There was no more turbulence. Maj. J. C. Massie, the provost marshal, called the citizens together at the courthouse, explained the situation, and stated that all citizens between the ages of 18 and 55 must be enrolled under the order of General Hebert, and that all between the ages of 35 and 50 must be enrolled under my order, issued through my aide, Col. J. H. Herndon. It was further announced that all the cattle, mules, horses, and surplus provisions must be removed from the island, and that transportation would be furnished, on cars and boats, to points on the mainland, for women, children, and other noncombatants. The exodus now began in earnest, some on trains and others on the boats *Diana*, *Carr*, and *Ruthven*. By virtue of the enforcement of General Hebert's

and my orders the bulk of the fighting population, amounting to several hundred, were added to the army by the enrolling officer, Lieut. Thos. Cocke. Meanwhile the cavalry were scouring the island for cattle, estimated at about 6000 head, and commissary agents searching for surplus provisions. All the alien⁵⁹ residents who procured protection papers from their respective consuls were excused from military duty in supposed compliance to the demands of international law; but we later learned and were on subsequent occasions guided by the rule in fact prescribed by the *jus gentium*, viz.: That aliens are liable to military duty in a *levy en masse* to repel invasion, but not to enrollment as soldiers for ordinary duty.

While executing his orders for the removal of property, Provost Marshal Massie wrote the *Telegraph*: "I am moving heaven and earth to get everything away. After a few more days the enemy can have all that is left; and if they can make much use of it, they may have my head for a football." About 5000 head of cattle were taken off to the mainland.

The refugees from Galveston were mostly poor and in need of assistance. Of course, they had the popular sympathy, and contributions were freely made in their behalf at Houston, Columbia, and other places of refuge; but system was needed in the good work. I therefore issued a proclamation setting forth their destitute condition and calling on the various counties to make donations to the unfortunates through their county courts. In this way their wants were in a great measure relieved.

State Treasurer Randolph donated, as representative of the Government Officers' Fund Association, \$1000, and sent it to T. W. House, mayor of Houston, "for the benefit of such of the poor as may remove from Galveston Island."

A considerable military force had been gathered on the island, and, under the skillful direction of Colonel Cooke, the preparations for resistance were completed. Besides this, General Hebert held the Tenth brigade, State troops, at Houston, to reinforce at

⁵⁹ According to the *Telegraph* of July —, 1862, 298 aliens claimed exemption from military service and applied to their respective consuls for protection papers. There were some notable exceptions to this "shirking" on the part of aliens, especially among the Germans and British; and they did good service at every crisis on the island.

a moment's notice. The Yankees, advised of these dispositions, failed to attack, and were forced to content themselves with a sullen maintenance of the blockade.

While this holding of the foe at bay and forcing them to allow their threats of an attack on the city to pass unredeemed was a source of gratification to the military authorities and people, the glorious Fourth of July did not bring the old-time hilarity on the island, as there were seven Yankee blockaders in sight to cut off our supplies from abroad, and add to our discomfort generally.

A man deserted with a skiff that night and was seen approaching the Santee next morning. It was the notorious "Nicaragua" Smith, of whom more hereafter.

At every accessible point along our entire coast the Yankees had light draft vessels, with launches, cruising about and picking up our little craft and friendly blockade runners. Sometimes raiding parties would land and commit depredations, destroying property and killing or kidnaping citizens.

In June, 1862, the Mississippi River was virtually in possession of the enemy, and the impression was entertained in some quarters outside of Texas that the Confederate authorities were neglecting and abandoning the portion of the Confederacy west of that river. While I and others in this State believed such impression to be unjust, and that the Confederate government neither intended nor desired to neglect the Trans-Mississippi States, and that any apparent want of attention to our necessities had arisen from its inability at the time to guard against it, Governor Rector, of Arkansas, laboring under a misapprehension of facts, issued a proclamation, in which he said:

"Untoward events have placed Arkansas beyond the pale of protection. Much impaired, although not incapable of resistance, she will strike a blow for liberty and continue to be free. If left to her fate, she will carve a new destiny rather than be subjugated. It was for liberty she struck, and not for subordination to any created secondary power, North or South. Her best friends are her natural allies nearest at home, who will pulsate when she bleeds, whose utmost hope is not beyond her existence. If the arteries of the Confederate heart do not penetrate beyond the east bank of the Mississippi, let Southern Missourians, Ar-

kansans, Texans, and the great West know it and prepare for the future. Arkansas lost, abandoned, subjugated, is not Arkansas as she entered the Confederate government. Nor will she remain Arkansas a Confederate State, desolated as a wilderness. Her children, fleeing from the wrath to come, will build them a new ark and launch it on new waters, and seek a haven, somewhere, of equality, safety, and rest. Be of good cheer, my countrymen; there is still a balm in Gilead; the good Samaritan will be found. Strike now and ever for your homes and liberty against all men who invade the one or dispute the other."

This proclamation reached the ears of the government at Richmond, and created considerable momentary uneasiness. To allay this I wrote unofficially to Mr. Davis, under date of June 27, 1862:

"My friend, Judge Gray, did me but simple justice when he assured you that I would be found, together with the people of Texas, true and firm in the support of the Southern Confederacy.

"This is no time for bickerings, heart-burnings, and divisions among a people struggling for existence as a free government.

"I have given a letter of introduction to Col. Chas. De Morse. I meant all I said in the letter, and trust you may be able to grant his request.

"He, as editor of the *Clarksville Standard*, a paper established by him many years ago, utterly demolished Rector's proclamation.

"Let me assure you that you need give yourself no uneasiness in regard to it. If Governor Rector is wrong, when I see him I shall endeavor to get him right. Governor Moore I am satisfied is a patriot, and will stand square up.

"You can rely on my fealty and devotion to the cause of the *entire South*."

As a result of this letter, Maj. Guy M. Bryan came to me, at the instance of President Davis, early in July, and suggested the propriety of calling a conference of the Governors of Arkansas, Louisiana, Missouri, and Texas, to meet at Marshall, Texas, for the purpose of suggesting plans for the defense of the States west of the Mississippi River, asking the adoption of such measures by the Confederate government as might be deemed necessary

and practicable, and taking such other action as might be decided upon as advisable.

I heartily concurred with Mr. Bryan, and at once indited letters to the Governors of Arkansas, Louisiana, and Missouri, inviting them to meet with me at Marshall on the 20th of July, or as soon thereafter as possible, for the accomplishment of the purposes above enumerated.

These letters I turned over to Major Bryan, who delivered them in due time to the gentlemen to whom they were addressed.

C. S. West, Secretary of State, accompanied me in my buggy on this journey of about 300 miles to Marshall. On the way we had the opportunity of speaking words of cheer to the people, informing them that the object of our visit to that place was to put the country on a better war footing.⁶⁰

Governor Moore, of Louisiana, was prevented from being present by reason of the invasion of that State. I, however, had the honor and great gratification of meeting Governor Claiborne F. Jackson, of Missouri, than whom no more zealous, indefatigable, and true-hearted patriot existed. God in his inscrutable providence later called him from his sphere of usefulness; and, while we bowed with submission to the divine decree, we could but mourn his loss.

Governor Jackson and myself prepared the necessary papers and forwarded them to Governors Moore and Rector, who most fully endorsed all that we had done, and affixed their signatures to the papers. These in due time were delivered to President Davis by Maj. Guy M. Bryan, then an aide-de-camp to Gen. P. O. Hebert. In all this business much was due to him for the good that resulted from our consultation.

⁶⁰ The *Texas Republican* of July 26, 1862, thus notices the arrival of the Governors:

"Governor Jackson and Governor Lubbock have reached here. On Wednesday evening Hon. Guy M. Bryan, who has taken great interest in this proposed interview, and who contributed his aid to bring it about, arrived from Little Rock, which place he left last Saturday morning. Governor Rector, of Arkansas, can not attend in consequence of domestic affliction (one of his children being dangerously ill), but has promised his hearty co-operation in any measures that may be adopted for counsel or defense. Governor Moore, of Louisiana, is expected, but has not arrived. This meeting is pregnant, we are fain to believe, with important results."

We addressed a letter to President Davis in which we said, in part :

"The events of the past three months have clearly disclosed that to properly defend the States west of the river three things are absolutely indispensable ; without them we can not use our strength nor fully develop the mighty power of resistance that is in our midst.

"First. We should have a commanding general having territorial jurisdiction over all the States west of the Mississippi River.

"Second. We must have money for the support of the army.

"Third. We must have arms and also ammunition, if it can be spared ; but arms we are compelled to have. . . .

"The method pursued, since the loss of the Mississippi, of sending special messengers to Richmond for money, has not only been attended with great risk and expense, but the transportation of such messengers, if the system should be continued, will cost the government more than the establishment and support of a branch of the treasury department. We do not deem it necessary to enlarge on the absolute necessity of a measure when it seems so obvious.

"Our soldiers are without their pay, and in some instances dissatisfied. This dissatisfaction has been carried so far in some cases as to amount to mutiny. The government has contracted heavy debts and is daily contracting more. In order that the faith of the people and of the soldiers in the government may not be shaken, it should provide means for the speedy payment of its soldiers and its creditors. If there is no power under present legislation to establish such a branch of the treasury, then we would suggest that the attention of the Congress soon to meet be called at once to the matter so that this want may be remedied.

"There is a most distressing want of small arms on this side of the river. There are at this time many regiments and organized bodies of soldiers who have been idle in camp at an enormous expense to the government for six months past, and all for the want of arms. If 20,000 or 30,000 stand of small arms could be sent across the river, we feel satisfied that in two months after their arrival we would have an army of 50,000 men in the field, and are sanguine that with an abundance of funds and an able

commander, the number could be increased even beyond that amount.

"We can assure you that it is the fixed and unalterable purpose of the States of Arkansas, Louisiana, and Texas, and the brave and loyal sons of Missouri, whose hearts are in our cause, to sustain with all their power the Confederate government, and, at all hazards, to offer a stubborn resistance to the enemy at every point. All that we desire is that you send us a cool and able head to direct our military operations, provide the funds necessary to support the army, and the arms to put into the hands of our citizens, and then we will endeavor to deal with the enemy on this side of the river as successfully as you have done upon the James and the Chickahominy."

By the same messenger who conveyed the formal communication of the Governors I sent a personal letter to President Davis, in which I said: "Colonel Bryan can explain to you more fully than I can write the situation of the country, and the great importance of acting at once in the premises." And also a letter to our senators and representatives in Congress, in which I said in part:

"Nothing said to the President has been over-colored. The fact is, our soldiers have been suffering for months. A large portion of the men in the field are poor and with families. They have abandoned business, many of them leaving their affairs in a most deplorable condition, so that even the mere pittance allowed them by the government would go, in many cases, far to relieve the wants of those they leave behind. Instances are frequent of wives of soldiers in the service being compelled to sacrifice property in order to pay their taxes, whilst the government is indebted to their husbands for services in the army. These things should not be.

"The same may be said of citizens who have sold property to the government, and of mechanics who have labored for quartermasters, commissaries, etc. A remedy should at once be found for these evils. It is necessary in order to give our people confidence in the government. To do this, it will be necessary, it will be imperatively necessary, that a fiscal agent, branch of the treasury, or some other plan be adopted whereby the department west of the Mississippi can be constantly supplied with adequate

means for its support. Scarcely a day passes that we do not see and hear of colonels, agents, and others running to Richmond after funds. Regiments, battalions, and companies are detained for months after their organization for means required to move them. This must all be attended with most ruinous expense to the government, and injury to our cause.

"A general, cool, brave, energetic, and with the ability to command our vast country, should be immediately sent here. There should be but one head, with ample power to control all of the territory west of the Mississippi, including jurisdiction over all of the sub-military districts, and he should be fully authorized to do all things connected with the defense of the country.

"If these suggestions are acted upon promptly, and the government could send us an additional supply of small arms, even though they be the arms that have been laid aside for better ones, I feel assured in saying that we can furnish a good fighting man for every gun so sent in addition to those now armed and in the service, and that we can preserve and keep safe our territory for the Confederacy. You can rest assured, gentlemen, and so say to the President, that since my occupation of the executive chair every exertion has been made on my part to sustain his administration and the cause of the Confederacy; that I have no other desire than to see the government prosperous and successful, and nothing that I can do to sustain the Confederate authorities shall be omitted. . . .

"Colonel Bryan has kindly consented to bear our letters, and I trust with your assistance his mission may prove entirely successful. You may fully confer with Colonel B. He has been present during our interviews, and understands well the points we wish to make, and can give you much valuable information as to the condition of things generally."⁶¹

The following are extracts from the address that Governors C. F. Jackson, Thos. O. Moore, H. M. Rector, and myself issued to the citizens and soldiers of the States of Missouri, Arkansas, Louisiana, and Texas:

"We, your Governors, have deemed it our duty freely to confer with one another for our common good and for the advancement of the sacred cause of the Confederacy,—a cause that in-

⁶¹ The above letter was written at Marshall.

volves not only the permanent prosperity of the States concerned, but the preservation on this continent of the rights of self-government bequeathed to us by our forefathers. . . .

"We have every confidence in the Confederate authorities. We believe that they will fully sustain the credit of the government here, and provide amply for our future defense. But in order that they may be able thus to defend us, it behooves us all to be at work. Let every firearm be repaired, and every gunsmith and every worker in iron, and every mechanic be employed in fashioning the material of war. Let the women sit day by day at the spinning-wheel and the loom, and with the needle, never weary in preparing the necessary articles of clothing for the brave soldiers of our States who stand between them and infamy and misery as an impassable bulwark in our cause. Let all the war-like resources of these great States be brought to light. It is for liberty and life we fight; and a good God has given us in this fair land all the material that brave men need to defend their homes and honor. . . .

"As to the final results, fellow-citizens, judging by the history of the past eighteen months, can you doubt it?

"Except on the coast and on our rivers, at points easily assailed by gunboats, we have had no cause to complain of the result. Witness Bethel, Manassas, Oak Hill, Lexington, Leesburg, Belmont, Shiloh, and Chickahominy. Our soldiers have shown on every field a desperate valor that has wrung reluctant plaudits from our foes. Whenever ordered to advance, they have done so regardless of the danger, and at the word of command.

"With such soldiers and such incentives to action, and with all present causes of complaint in the course of speedy removal, we again say to you, be of good cheer. There is everything to encourage us, and you may rest assured that it is our fixed and unalterable purpose to contest every inch of ground with the enemy, and, judging you by your past patriotism, we shall most confidently rely on you for your hearty and earnest co-operation.

"Be firm, true, hopeful, and resolute, and a just God will help and protect, whilst brave hearts will fight and die.

"Submission, or subjugation, places the feet of the oppressor upon your necks, yields up your noble women to Butlers, and degrades or drives into exile your children.

"A people united and determined to be free can never be conquered. Remember this. Gird on your swords, shoulder your rifles, and be ready for the word of command when given by the government of our choice and affection."

Our meeting quieted the little unrest felt, and gave us more strength for the next two years' conflict.

Colonel Bryan did faithful service both as a counselor and as a messenger. He traveled thousands of miles by every mode of conveyance to bear dispatches, never failing until this conference at Marshall brought favorable results in restored confidence, in the appointment of a chief with enlarged discretionary powers, and the establishment of a fiscal agency for the Trans-Mississippi Department. But as for the arms and ammunition, we had to do the best we could for ourselves. That the best was so bad, so insufficient for the pressing necessities of the country, will make an important chapter in the truthful history that relates how brave and true patriots in defense of their rights were finally forced to surrender.

CHAPTER TWENTY-TWO.

Letter from General Hebert — General Sibley's Expedition to New Mexico — El Paso — March Up the Rio Grande — Battle of Valverde — Official Reports — Socorro and Albuquerque — Occupation of Santa Fe — Battle of Glorieta — Retreat — Peralto — Terrible March Across the Jornada — Return to San Antonio — Sibley's Final Report — Reiley's Mission to Chihuahua.

On my return to Austin I found a letter from General Hebert, excusing himself for not attending the conference at Marshall, as he had promised me to do, and saying: "The enemy's demonstration at Corpus Christi, since realized by actual landing and bombardment; the reports of disloyalty in certain counties, since proved well founded by armed resistance to our troops; the evacuation of New Mexico and Arizona by General Sibley, leaving our northwest posts exposed, and the arrival of his command, with other matters, made my presence here absolutely necessary about the time I should have been absent. Futhermore, I had some faint fears that the result of the conference might have involved the taking of more troops from this State."

Always on the alert for disaster, the general adds: "Colonel Carleton with his California troops, or a portion of them, has no doubt ere this occupied Fort Bliss, an intercepted dispatch of his showing this to be his intention. Our line of forts will have to be abandoned to Fort Clark."

General Sibley had been a United States officer in New Mexico, and was presumably familiar with the country and people. After his resignation from the United States army he repaired to Richmond, and at his solicitation obtained authority to organize an expedition in Texas for the conquest of New Mexico. Thus, while Col. John R. Baylor was conquering Arizona Territory in the summer of 1861, Sibley was busy raising a brigade to occupy Santa Fe. Gov. Ed Clark heartily co-operated with General Sibley, but owing to unavoidable delays caused by scarcity of arms and accoutrements, the expedition did not get ready before winter. The dreary stretch of 700 miles through Western Texas to El Paso could yield no supplies to troops marching across it,

therefore the brigade moved off from San Antonio by regiments, with intervals of a week or more in starting. It was made up of the Second, Fourth, Fifth, and Seventh regiments of mounted volunteers, and Teel's battery of artillery.

General Sibley and staff⁶² reported at El Paso about the middle of December. Sibley's brigade and the forces under General Baylor were united early in January at Fort Thorn, New Mexico, and the headquarters selected, General Sibley assuming command of the whole. It was while the Confederate army of New Mexico and Arizona was concentrating for an advance upon Fort Craig that Colonel Reiley was dispatched upon a diplomatic mission to Chihuahua.

"It is due to the brave soldiers I have had the honor to command," afterwards reported General Sibley, "to premise that, from its first inception, the Sibley brigade has encountered difficulties in its organization, and opposition and distaste to the service required at its hands, which no other troops have met with. From misunderstandings, accidents, deficiency of arms, etc., instead of reaching the field of its operations early in September, as was anticipated, I found myself at this point (Fort Thorn) as late as the middle of January, 1862, with only two regiments and a half, poorly armed, thinly clad, and almost destitute of blankets. The ranks were becoming daily thinned by those two terrible scourges to an army—smallpox and pneumonia. Not a dollar of quartermaster's funds was on hand, or ever had been, to supply the daily and pressing necessities of the service, and the small means of this sparse section had been long consumed by the force under the command of Lieutenant-Colonel Baylor, so that the credit of the government was not as available a resource as it might otherwise have been."

Moving up the Rio Grande, and finally crossing that stream, General Sibley made a reconnoissance, February 16th, in force, on Fort Craig. Then, convinced of the futility of attacking General Canby's larger army, firmly entrenched at that point, he slowly withdrew his troops to the left bank of the river, hoping

⁶² Major A. M. Jackson, A. A. G.; Captain R. M. Browning, A. Q. M.; Captain Griffin, commissary; Dr. Coroy, brigade surgeon; Major W. L. Robards, aide-de-camp; Thomas P. Ochiltree and Joseph E. Dwyer, volunteer aides, constituted General Sibley's staff.

thus to decoy the enemy into the open field, and there fight him to advantage. This movement had the desired effect. The Federals attributed the withdrawal of the Texans to a premeditated determination to retreat and avoid battle with a superior force. So surmising, even the Mexican contingent of the Union garrison at Fort Craig enthusiastically sallied out from behind the fortifications to participate in the pursuit and help force an engagement. The result was a hot fight, and a brilliant victory for the Texans at Valverde.

General Sibley thus reported the battle to General Cooper at Richmond, February 22, 1862:

"I have the honor to report to you, for the information of the President, that I encountered the enemy at this point (six miles above Fort Craig) in force at 11 o'clock yesterday morning, and after one of the most severely contested actions, lasting until 5 p. m., the enemy was driven from the field with a loss, as estimated, of four captains of the regular army, and some 300 killed and wounded, and the capture of his entire field battery, the disabling of one twenty-four-pounder, and the abandonment of another in the river. We have but few prisoners; among them is Capt. Wm. H. Russell, of the Tenth infantry. The enemy had upon the field about 3500 men, 1200 of whom were old regulars. We never had more than 1500 engaged. For the first time, perhaps, on record, batteries were charged and taken at the muzzle of double-barrel shotguns, thus illustrating the spirit, valor, and invincible determination of Texas troops. Nobly have they emulated the fame of their San Jacinto ancestors. Our loss was severe—forty killed, including Maj. S. A. Lockridge, of the Fifth regiment, and Capt. M. Heuvel, of the Fourth. I have no report of the wounded, but think 100 will cover it.

"Before closing this report, it is especially due to Col. Thomas Green of the Fifth, to say that, in consequence of severe and prolonged illness and weakness resulting from it, I could only keep my saddle until 1 o'clock, and at that hour I relinquished to him the full direction of active operations. His coolness under the heaviest fire, and intrepidity under the most trying circumstances, are sufficiently attested by the results. I can not commend Colonel Green too highly to the favorable consideration of the executive.

"It will be necessary, to secure our purpose, to reinforce me largely from Texas at as early a day as possible. The force we had to contend against amounted to near 6000 men.

"I beg leave, in conclusion, to bring to your notice the intelligence and valor of the members of my staff,—Maj. A. M. Jackson, A. A. G.; Maj. R. T. Browning, commissary of subsistence; Lieutenant Ochiltree, aide-de-camp, and Col. W. L. Robards, Major Magoffin, and Capt. J. Dwyer, volunteer aides.

"P. S.—Lieut.-Col. J. S. Sutton, of the Seventh regiment (Col. William Steele's), in command of his battalion, and Capt. Willis L. Lang, of the Fifth, greatly distinguished themselves, and were both severely wounded; and I should not omit Lieut. D. M. Bass, of Captain Lang's company, who was also severely wounded in front of the charge, leading the lancers upon the enemy."

The following extract is from Col. Tom Green's report:

"Our dismounted troops, in front, were composed of parts of the Fourth and Fifth regiments of Texas mounted volunteers, and parts of Lieutenant-Colonel Sutton's and most of Pyron's battalion, and Teel's, Reiley's, and Wood's batteries of artillery, numbering about 750 on the ground. Major Raguet's cavalry numbered about 250, making about 1000 men in the charge.

"At the command to charge our men leaped over the sand-bank, which had served as a good covering to them, and dashed over the open plain, thinly interspersed with cottonwood trees, upon the battery and infantry of the enemy in front, composed of the United States regulars and Denver City volunteers, and, in a most desperate charge and hand-to-hand conflict, completely overwhelmed them, killing most of their gunners around their cannon, and driving the infantry into the river. Never were double-barrel shotguns and rifles used to better effect. A large number of the enemy were killed in the river with shotguns and sixshooters in their flight. So soon as the enemy had fled in disorder from our terrible fire in front, we turned upon his infantry and cavalry and twenty-four-pounders on our left flank, first engaged by Major Raguet. We charged them, as we had those in front; but they were not made of as good stuff as the regulars, and a few fires upon them with their own artillery and Teel's guns, a few volleys of small arms and the old Texas war-

shout completely dispersed them. They fled from the field, both cavalry and artillery, in the utmost disorder, many of them dropping their guns to lighten their heels, and stopping only under the walls of the fort. Our victory was complete. The enemy must have been 3000 strong, while our force actually engaged did not exceed 600. Six splendid pieces of artillery and their entire equipage fell into our hands; also many fine small arms."

Colonel Green thus commends two members of his regimental staff:

"Sergt.-Maj. C. B. Sheppard shouldered his gun and fought gallantly in the ranks of Captain McPhail's company in the charge. Lieut. Joseph D. Sayers, adjutant of the Fifth, during the whole day reminded me of a hero of the days of chivalry. He is a gallant, daring, and dashing soldier, and is as cool in a storm of grape, shell, canister, and musketry as a veteran. I recommend him, through the General, to the President for promotion."

A noble tribute this to the worth of the youth to be called thirty-six years later to the governorship of Texas.

General Canby, the Federal commander, admitted his force to be 3500 men. Ours on the field did not exceed 1750, viz: The Fourth regiment, 600; the Fifth, 600; the Seventh, 300, and Pyron's command, Second mounted regiment of rifles, 250.

Canby reported his loss at 68 killed, 160 wounded, and 35 missing—total, 263. Our loss was 36 killed, 150 wounded, and 1 missing—total, 187.

"Depositing our sick at Socorro, thirty miles above Fort Craig," says General Sibley in a later report, "the march was uninterruptedly made to Albuquerque, where, notwithstanding the destruction by the enemy of large supplies by fire, ample subsistence was secured. A very considerable quantity of supplies and ammunition was also obtained at Cubero, a temporary post sixty miles west of Albuquerque. Other supplies were also taken at Santa Fe, and, upon the whole, we had a sufficiency for some three months.

"It is due to the Fourth regiment to mention at this place an act of devotion and self-sacrifice worthy of high praise, and the more commendable because they are Texans. In the action at Valverde many of their horses were killed, thus leaving them

half foot and half mounted. The proposition being made to them to dismount, the whole regiment, without a dissenting voice (a cavalry regiment, which had proudly flaunted its banner before the enemy on the 20th), took up the line of march on the 24th, a strong and reliable regiment of infantry.

"Having secured all the available stores in and about Albuquerque and dispatched Maj. Charles L. Pyron with his command to Santa Fe to secure such as might be found there, I determined to make a strong demonstration on Fort Union. With this view, Col. William R. Scurry, with the Fourth and the battalion of Colonel Steele's regiment, under Maj. Powhatan Jordan, was pushed forward in the direction of Gallisteo; while Colonel Green, with his regiment (Fifth), being somewhat crippled in transportation, was held for a few days in hand, to check any movement from Fort Craig. Meanwhile, the enemy (having received reinforcements at Fort Union of 950 men from Pike's Peak), took the initiative and commenced a rapid march on Santa Fe."

The battle of Glorieta occurred a few days later. The following is from General Sibley's report:

"The battle of Glorieta was fought March 28th by detached troops, under the command of Lieutenant-Colonel Scurry and Federal forces (principally Pike's Peakers), under the command of Colonel Slough, the one having 1000 men, and the other estimated at 1500 or 2000. Glorieta is a canyon twenty-three miles east of Santa Fe.

"Pending the battle, the enemy detached a portion of his forces to attack and destroy our supply train, which he succeeded in doing, thus crippling Colonel Scurry to such a degree that he was two days without provisions or blankets. The patient, uncomplaining endurance of our men is most remarkable and praiseworthy.

"Our loss was 33 killed and 35 wounded. Among the killed are Majors Raguet and Shropshire, and Captain Buckholtz. Colonel Scurry had his cheek twice grazed by minie balls, and Major Pyron had his horse killed under him.

"In consequence of the loss of his train, Colonel Scurry has fallen back upon Santa Fe.

"I must have reinforcements. The future operations of this

army will be duly reported. Send me reinforcements. . . . Pending this action I was on my route to Santa Fe, in rear of Green's regiment, which had meanwhile been put in march for that place, where, on my arrival, I found the whole exultant army assembled. The sick and wounded had been comfortably quartered and attended; the loss of clothing and transportation had been made up from the enemy's stores and confiscations, and, indeed, everything done which should have been done.

"Many friends were found in Santa Fe who had been in durance. Among the rest, Gen. William Pelham, who had but recently been released from a dungeon in Fort Union.

"After the occupancy of the capital of the territory for nearly a month from the time of our first advance upon it, the forage and supplies obtainable there having become exhausted, it was determined to occupy, with the whole army, the village of Manzano, intermediate between Fort Union, Albuquerque, and Fort Craig, and secure, as a line of communication, the road to Fort Stanton. This plan was disconcerted, however, by the rapid and continuous expresses from Albuquerque, urging the necessity of reinforcements to hold the place (the depot of all our supplies) against the advancing forces of Canby from Fort Craig. The entire force was accordingly moved by forced marches in the direction of Albuquerque, arriving too late to encounter the enemy, but time enough to secure our limited supplies from the contingency of capture.

"In our straightened circumstances the question now arose in my mind, whether to evacuate the country or take the desperate chances of fighting the enemy in his stronghold (Fort Union), for scant rations at the best. The course adopted was deemed the wisest."

On the morning of April 12th, no reinforcements being available, the evacuation of New Mexico began, the commands of Scurry, Steele, Pyron, and part of the artillery passing over, by the ferry and ford, to the west bank of the Rio Grande. Green's regiment, finding the ford difficult, remained over night on the east side of the river, expecting the next day to find a better crossing lower down. Meanwhile the army marched down as far as Los Lunas, and there awaited the arrival of General Green. That officer appeared with his regiment in due time at Peralto,

on the opposite side of the river from Sibley and the rest of the brigade. To make matters worse, General Canby, having received considerable reinforcements from Fort Union, made a rapid night march to within striking distance of Green's camp. The next morning Canby began the fight with a heavy artillery fire on Green. Sibley, divining the meaning of this, threw at once his whole disposable force across the river, the crossing being effected under the skillful management of General Scurry. General Sibley and staff crossed soon after, but were intercepted and driven back across the river by a party of Yankee cavalry. The hostile armies confronted each other all that day, in easy gunshot distance. There was a series of menacing maneuvers,—a little ineffectual firing,—but no serious conflict. General Canby had declared his intention of capturing the whole Texan army, if he could overtake it, affecting to believe that the Texans were a disorderly rabble in flight from the country.

Sibley's troops were truly in a desperate condition,—seven or eight hundred miles from their base of supplies, without rations or munitions, and with double their number of well provided soldiers in front of them. But the Texans were of heroic mould; some were soldiers of San Jacinto, some had participated in the storming of Monterey, while others had repulsed Santa Anna's veterans at Buena Vista. The honor of Texas was never in safer hands.

Under the friendly cover of night the Texans, unobserved, quietly recrossed the river to the camp still occupied by General Sibley with a small force. The next morning the united Texan army resumed their march down the river on the west side, while the exultant Yankees eagerly pursued on the opposite bank of the river. The proximity of the enemy in force now prevented General Sibley from attacking detached bodies of Federals along the course he was pursuing, as was his intention when two days march ahead of the Yankees; a general engagement, in the crippled condition of the Texans, was to be avoided if possible.

Finally, forage failing the Texans, their horses could no longer draw both wagon train and artillery, and one or the other had to be abandoned. On consultation with Colonels Green, Scurry, and other officers, General Sibley decided to take the artillery with him and leave the wagons, and to change his line of retreat

to a route through the mountains, avoiding Fort Craig and striking the river below that point. Accordingly, after nightfall, all the surplus wagons were left on the ground, seven days rations packed on mules, and the army silently moved off with McRae's battery of six guns (under the special care of Col. Wm. P. Harde-man). This was the battery captured from the Yankees at Valverde, and the Texans made it a point of honor to save it. At the last moment it was found necessary to leave the other cannon, as there were no horses to haul them.

Maj. Bethel Coopwood, thoroughly familiar with the country, undertook to guide the army through the mountainous, trackless waste that was to be traversed.

"The route was a difficult," says General Sibley, "and most hazardous one, both in respect to its practicability and supply of water. The successful accomplishment of the march not only proved the sagacity of our guide, but the pledge of Colonel Scurry, that the guns should be put over every obstacle, however formidable, by his regiment, was nobly fulfilled. Not a murmur escaped the lips of our brave boys. Descents into and ascents out of the deepest canyons, which a single horseman would have sought for miles to avoid, were undertaken and accomplished with a cheerfulness and ability which were the admiration and praise of the whole army. Thus, in ten days' marching, with seven days' rations, a point on the river where supplies had been ordered forward was reached.

"The river, which was rising rapidly, was safely crossed to the east bank under the direction of Colonel Green, and at this moment, I am happy to repeat, the whole force is comfortably quartered in the villages extending from Dona Aña to this place." (Fort Bliss.)

This retreat across the jornada was an exploit almost without parallel in military annals whether considered as difficult and unexpected checkmate of the pursuing enemy at a moment when he was confident of compelling a surrender, or as a test of martial skill and soldierly fortitude and endurance. A lesson this in military achievements which few but Texans could give, and which all Americans can now appreciate.

"My chief regret in making this retrograde movement," continues General Sibley, "was the necessity of leaving hospitals at

Santa Fe, Albuquerque, and Socorro. Everything, however, was provided for the comfort of the sick, and sufficient funds in Confederate paper provided them to meet every want, if it be negotiated. It has been almost impossible to procure specie upon any terms. One thousand dollars is all I have been able to procure for the use of hospitals and for secret service. The 'ricos,' or wealthy citizens of New Mexico, had been completely drained by the Federal powers, and, adhering to them, had become absolute followers of their army for dear life and their invested dollars. Politically they have no distinct sentiment or opinion on the vital question at issue. Power and interest alone control the expression of their sympathies. Two noble and notable exceptions to this rule were found in the brothers Rafael and Manuel Armijo, the wealthiest and most respectable native merchants of New Mexico. The latter had been pressed into the militia, and was compulsorily present in the action at Valverde. On our arrival at Albuquerque, they came forward boldly and protested their sympathy with our cause, placing their stores, containing goods amounting to \$200,000, at the disposal of my troops.

"When the necessity for evacuating the country became inevitable, these two gentlemen abandoned luxurious homes and well-filled storehouses to join their fate to the Southern Confederacy. I trust they will not be forgotten in the final settlement."

Capt. Thos. P. Ochiltree,⁶³ aide-de-camp to General Sibley, arrived at Austin in May with dispatches from that general asking for aid. In compliance, I wrote at once to the department commander, General Hebert, as follows: "I see no way by which I can, within any reasonable time, do anything for the command. There are many men in the State enlisted, but they are all in the Confederate service and beyond my control.

"Should you feel authorized to extend to him any relief, I will cheerfully co-operate with you.

"I feel a very strong interest in the command. They are Texans, brave and gallant soldiers. They are in that country by order of the government and should be sustained."

The pressure of the enemy at other points drained Texas of troops, and Hebert did not feel able to send the needed reinforce-

⁶³ Captain Ochiltree was also the bearer of dispatches to Richmond, and continued his journey from Austin.

ments; and New Mexico, won by such heroic valor by Texans, was lost to the Confederacy.

"As for the results of the campaign," says General Sibley, "I have only to say that we have beaten the enemy in every encounter and against large odds; that, from being the worst armed, my forces are now the best armed in the country. We reached this point last winter in rags and blanketless. The army is now well clad and well supplied in other respects. The entire campaign has been prosecuted without a dollar in the quartermaster's department, Captain Harrison not having yet reached this place. But, sir, I can not speak encouragingly for the future, my troops having manifested a dogged, irreconcilable detestation of the country and the people. They have endured much, suffered much and cheerfully; but the prevailing discontent, backed up by the distinguished valor displayed on every field, entitles them to marked consideration and indulgence.

"These considerations, in connection with the scant supply of provisions and the disposition of our own citizens in this section to depreciate our currency, may determine me, without waiting for instructions, to move by slow marches down the country, both for the purpose of remounting and recruiting our thinned ranks."

About the last of May, General Sibley, much discouraged at the lack of money and subsistence for his army, resumed his retreat down the river into Texas, marching by way of El Paso to San Antonio. Unofficial information of the intention of the government to reinforce him had been received, but it came too late to be of any service, as the safety of the army, menaced by a superior force of the enemy and by starvation, required a falling back to his base of supplies. Up to this time General Sibley had never, in answer to his dispatches, received a single line of acknowledgment or encouragement, having been left to act entirely upon his own judgment.

It seems, however, from official documents published, that General Lee had ordered two regiments and supplies from Texas to Sibley. President Davis refers to this in his letter of congratulation to Sibley (forwarded by Captain Ochiltree from Richmond).

After a few weeks furlough, the soldiers of this heroic brigade

were ordered to rendezvous at Camp Groce, near Hempstead. This they did early in November.

It will be remembered that while the army was at Fort Thorn, New Mexico, Col. Jas. Reiley⁶⁴ was sent by General Sibley upon a delicate mission to Chihuahua. Colonel Reiley was an accomplished officer, not without experience in diplomacy, and was peculiarly fitted for the duty assigned him.

The object of the mission was to learn the facts as to the alleged permission given by the supreme government for the passage of United States troops through Mexican territory into Texas; to get leave to purchase supplies in Chihuahua for the Confederate States army, and to procure an agreement under which the troops of either nation, when in hot pursuit of hostile Indians, might cross the international boundary.

The Confederate envoy was escorted by Don Carlos Moyo into the presence of Don Luis Terrazas, Governor of the State of Chihuahua, with the usual Mexican ceremony.

"After a brief speech, interpreted by Don Carlos Moyo, and as brief a one from the Governor, also translated to me," says Colonel Reiley in his report to General Sibley, "I presented to the Governor your letter of credence. I was then formally introduced to the Secretary of State and other high officials.

"My reception by the Governor, and all others present, was most gracious and cordial. I beg leave here to state that I had myself announced to the Governor as colonel in the Confederate

⁶⁴ Colonel Reiley came from Ohio to Texas about 1836 or 1837. He first settled in Nacogdoches, and later removed to Houston with his amiable and accomplished wife, who was a niece of Henry Clay. Reiley had been a Whig in the North, but he soon became a staunch Democrat. He was a fine lawyer and orator, and ranked equal with Ashbel Smith and J. Pinckney Henderson as a diplomatist. Growing quickly into popular favor, he had the honor of representing Harris County in the Congress of 1840. Subsequently he served as Minister of the Republic of Texas at Washington City with great credit. In Buchanan's administration he was Minister of the United States at St. Petersburg, and represented his country so well as to gain the public approval not only of the administration then in power, but of his fellow citizens without distinction of party. In the civil war no man was more loyal to Texas and to the Southern cause than he, and when ordered by Sibley he cheerfully left the command of a regiment in the field to undertake a mission for which there seemed to be no one so well qualified as himself.

States army, and was dressed as such, being in the uniform of a cavalry officer, Confederate States army, and wearing my sword.

"His excellency remarked that, as the communication was in English, a language he neither spoke nor read, he must request to have it translated, so that he might be able to give it due and intelligent consideration. I then informed him, if he pleased, I would call at noon the next day.

"At the request of the Governor I resumed my seat, when many inquiries were made about the war between the South and North, about yourself, and the number and character of your troops; to all of which I trust I gave satisfactory answers.

"Upon taking leave of the Governor, I was escorted back to the hotel by Don Carlos Moyo. He remained with me some time, and I found him quite a friend of the South. To him I am indebted for much civility and many kindnesses.

"The next day at the appointed time Don Carlos again called for me, and, arriving at the palace, we found ourselves not alone with the Governor, but also with the Secretary of State and one of the judges of the Supreme Court. In a short time we were joined by Don Joaquin Durand, whose acquaintance I had previously made, and, although a Mexican, yet writing and speaking the English language with great fluency, having been educated in England. He came there at my request, and I was glad to avail myself of his intelligence. We almost immediately took up your communication, and you have, general, in the letter No. 5, and of date 11th instant, the result of that interview.

"In addition to the concessions there made by the Governor, he informed me that 'if even the assent of the President had come to him, sanctioned by act of Congress,' he did not think he would permit Federal troops to pass through the territory of Chihuahua to invade Texas.

"In regard to the second point, he said that he would not give his official sanction to the occupancy of the territory of his State by foreign troops, but hoped the Apaches on the frontier would be kept quiet. This was after I referred him to the law of nations in regard to the right of 'hot pursuit,' instanced the invasion of Shreveport, La., in November, 1838, by Texas troops when in 'hot pursuit' of the Caddoes, and stated to him that such inva-

sion was not deemed or treated as a wrongful one by the government of the United States. . . .

"As to the right to purchase supplies in Chihuahua, embraced in the third point, the Governor assured me no steps would be taken to prevent it, and, although the presence of your command would increase the price which the people of Chihuahua would have to pay, yet that, independent of this, we should not be excluded.

"I spent an evening, by invitation, with the Governor at his private residence, where I met many persons, and dined with him at his brother-in-law's (Moyo's) next day.

"The Governor appeared anxious to have the best relations established and continued between his State and the Confederate States, and I took leave of him, satisfied in my own mind that he would not break, or cause to be broken, the relations that now exist. . . .

"I have the pleasure to report that the custom-house dues I was by you instructed to have remitted were ordered by the Governor to be remitted, and the Governor paid me the compliment to put in my hand the order to the collector of El Paso to have the duties remitted and the bondsmen released. He stated that at all times, whenever necessary, he would be pleased to afford *protection to the persons and property of the citizens of the Southern Confederacy*. . . .

"Permit me here again to congratulate you on having been instrumental in obtaining the first official recognition by a foreign government of the Confederate States of America. All the credit due such an achievement I trust will be awarded you."

Colonel Reiley's report was not made until the close of the New Mexico campaign, nor did he complete his negotiations at Chihuahua in time to participate in the battles fought on New Mexican soil. He, however, added considerably to his laurels as a capable envoy, and later found abundant opportunity for hard and creditable service in the field.

CHAPTER TWENTY-THREE.

Bombardment of Corpus Christi—General Bee's Report—Ineffectual Shelling at Port Lavaca—Evacuation of Galveston and Its Occupation by the Yankees—Letter from Me to General Hebert on the Situation—Captain Henry S. Lubbock and the Bayou City—Colonel Burrill, General Banks, and Military Governor A. J. Hamilton—Our New Commander and His Plans—Correspondence—Preparations for Recapture of Galveston.

At 9 a. m., August 16th, Captain Kittredge, commander of the Federal fleet before Corpus Christi, approached the wharf in a launch under a flag of truce.

He stated that he had come, as ordered by the United States government, to examine the public buildings in the city. Every proposition to land, under whatever pretext, was peremptorily rejected. He then demanded that the women and children should be removed beyond the limits of the town within twenty-four hours, as he intended to land a force and execute his orders. Forty-eight hours were finally allowed for the removal of the families from town, which time was found amply sufficient for the purpose. The *Corypheus*, *Reindeer*, *Bella Italia*, and a steam gunboat from the enemy's fleet had taken positions on the previous day. The Confederates had a battery, near the water's edge, of two guns (a twelve and eighteen-pounder) which was supported by Captain (afterwards Governor) Ireland's company and Hobby's battalion.

"At daylight on the 16th," says Maj. A. M. Hobby, in his report, "we opened fire on the enemy. Six shots were fired on the fleet before they replied. The enemy shelled the battery and the town furiously, doing, however, but little damage. At 9 o'clock we drove him from his position. Beyond the reach of our guns he repaired damages and mended sails rent by our shot. At 3 o'clock he returned, and when within reach of our battery, it opened fire, striking both yacht and steamer, and compelled them to withdraw beyond the reach of our guns. They contented themselves with shelling the battery during the remainder of the day.

"Mr. William Mann, a volunteer commander of the battery, greatly distinguished himself by his skill and bravery. . . .

"By guns of inferior caliber and a smaller force than their own, they were driven from their position. Five shots were seen to do execution. The enemy fired 296 times."

Only one Confederate, a private in Captain Ireland's company, was wounded.

"On the morning of the 18th (Monday)," continues the report, "the enemy again opened on our battery, bringing his whole force to bear on it. Failing to silence our guns, a portion of his fleet withdrew and landed a twelve-pounder rifled gun, supported by thirty or forty well armed men, who approached our battery by way of the beach, under cover of a continuous fire from their gunboats. They attempted to enfilade our battery, their balls passing just above our entrenchments. I immediately ordered twenty-five men to charge the gun, which they did in gallant style. After leaving the cover of our breastworks they entered an open plain and rapidly neared the gun, whereupon the gunboats of the enemy opened a heavy fire upon them. They, undaunted, pressed onward, and when within range of small arms I ordered them to fire, which they did, still advancing, the enemy in the meantime retreating in double-quick, carrying with them their gun. They left in their retreat their ammunition box, hatchet, and rat-tail files (intended, I presume, to spike our guns); a hat and rifle cartridges were scattered along the road. We chased them to their gunboats, to which they retreated without delay. Whenever a ball from a battery would strike the boats of the enemy, our men would rise and cheer, regardless of the fire to which they were exposed. The enemy withdrew, and taking position in front of the city, avenged themselves upon a few unoffending houses. A few shots from our guns drove them off, and on the following morning they stood away for Aransas Pass." The Confederate loss that day was one man, killed in the charge.

In September a second attempt was made to capture the place. Captain Kittredge, commanding the United States fleet in Aransas Bay, visited Corpus Christi under a flag of truce, and asked leave to take aboard the family of E. J. Davis. Maj. E. F. Gray, commandant of the port, referred the matter to General Bee, and informed Lieutenant Kittredge that an answer could not be expected under ten days.

The Federal commander then withdrew and proceeded with his

ships down the coast towards the salt works on the Laguna del Madre. Captains Ireland and Ware, with their respective companies and one piece of artillery, were dispatched in the same direction to watch the movements of the enemy. That night Captain Ireland prepared an ambuscade in a vacant house near the shore, off which the fleet had anchored.

Early in the ensuing morning the Federals shelled the houses and surrounding points for some time; then, the ground being apparently unoccupied, Lieutenant Kittredge, accompanied by some of his sailors and marines, landed and approached the house. Our men being concealed, the adventurous lieutenant fell into the trap set for him, and he and his whole party were taken prisoners. As soon as the capture was discovered by the enemy, their gunboats opened a rapid fire of shell and grape on the command, which passed over our men and prisoners, but without damage to either.

Lieutenant Kittredge was immediately escorted by Major Hobby to headquarters at San Antonio, where he was paroled. "The capture of the bold and energetic leader of the enemy" was specially gratifying to General Bee, who so expressed himself, and further stated: "The course of Lieutenant Kittredge while for many months in command on our coast has been that of an honorable enemy, and as such he is entitled to the consideration due to his situation by the terms of civilized warfare;" a declaration creditable alike to Federal and Confederate.

As to the citizens, General Bee has this to say: "Too much praise can not be given to the patriotic citizens of Corpus Christi. They removed out into the woods with their families, out of fire, and in tents and under trees calmly and confidently awaited the result. They have suffered many inconveniences and privations, especially for the want of water, as the drought of this section has been unprecedented. Yet they have set a laudable example to their countrymen, and added another to the many instances of patriotism which this war has excited. It is worthy of remark that the citizens of surrounding counties, for a distance of one hundred miles, attracted by the fire of the cannon, with their rifles in hand repaired to the scene and tendered their services to the commanding officer, demonstrating that when the emergency arises their country can depend on them."

The earthwork used by the Confederate battery was thrown up by General Taylor in 1845, and was composed of shell and sand, which, being solid and impenetrable to thirty-two-pound shot, proved an admirable defense.

Maj. F. Blucher, the distinguished engineer who prepared the defenses at Corpus Christi, was a nephew of Marshal Blucher of Waterloo fame. William Mann, acting captain of artillery in the fight, had seen service at Island No. 10 on the Mississippi.

Lieut. George E. Conklin, Confederate States army, post adjutant at Lavaca, under date of November 1st, reported an engagement at that point between the Confederate batteries and part of the enemy's fleet:

"On the morning of October 31st," said he, "two Federal steamers appeared in sight, evidently steering for this place. About 11 a. m. they arrived within a short distance, when they cast anchor. At 1 p. m. they sent a boat with a flag of truce on shore, which was met by Major Shea, accompanied by four citizens of the town. A short interview succeeded, during which a demand was made for the surrender of the town. They were assured by the commanding officer that he was there to defend it, and should do so to the best of his ability, with all the means he had at hand. A demand was then made for time to remove the women, children, and sick persons from town.

"The officer in charge of the flag replied that one hour was the time he was authorized to grant; but, in consideration of the fact that an epidemic (yellow fever) was still raging in the town he would extend the time to one hour and a half; at the expiration of which period they moved up abreast the town and opened fire from both steamers upon both the town and batteries. At this time there were many women and children still in the place, they having been unable, for want of time, to leave. Our batteries promptly returned the fire. Capt. John A. Vernon commanded one of the batteries, assisted by Lieut. T. O. Woodward; and Capt. I. M. Reuss, assisted by Lieuts. O. L. Schnaubel and G. French the other, and nobly did both officers and men perform their duty, working their guns as coolly as though on inspection, while a perfect storm of shot and shell rained around them; and this, in view of the fact that yellow fever had decimated their ranks, and that many of the men who manned the

batteries had but partially recovered from the fever, entitles them to the highest praise. The steamers were struck several times, and one of them partially disabled. Whereupon they immediately steamed off out of range of our batteries. When they cast anchor again they opened up a steady fire upon the town and batteries, which was continued until night shut in.

"On the next morning, November 1st, they again opened fire upon the town and batteries; but, owing to their being entirely out of range of our guns, we did not reply to them. At about 11 a. m. they ceased their fire and steamed down the bay in the direction of Indianola, having in tow the schooner *Lecompte*, which they had captured in the bay a few days before. One of the steamers went outside the bar and steamed in the direction of Galveston, probably for a mortar boat or some other additional force to assist them.

"I am glad to report that no lives were lost on our side, but the enemy succeeded in doing considerable damage to the town, tearing up the streets and riddling the houses and otherwise damaging the place. The enemy fired in all 252 shot and shell, 174 the first day and 78 the second, nearly all of them from thirty-two and sixty-four-pounder rifled guns.

"Capt. H. Wilke, acting ordnance officer, rendered very efficient service in keeping the batteries supplied with ammunition, and freely exposed himself in the discharge of his duties.

"The citizens of this town acted nobly, particularly Mr. Dunn and Mr. Charles Oglesbury, who remained in the town and materially assisted the commanding officer, suffering their property to be destroyed without a murmur, and only regretting they could do no more to serve their country.

"The ladies of the place, among whom were Mrs. Chesley and Mrs. Dunn and the two beautiful and accomplished daughters of the former, bore a conspicuous part, acted the part of true Southern heroines, supplying our tired soldiers with coffee, bread and meat, even during the thickest of the fight."

Such defenses as that described by Lieutenant Conklin fitly illustrate the character of the people of the Old South—their sensibility to the influence of noble sentiments, the implicit and unfaltering obedience they yielded to the calls of duty, and the quality of their courage,—a courage that was magnanimous and

brilliant in the hour of victory, but that (were it possible) shone with added luster when tested under circumstances of sickness, trial, and privation, in the presence of a superior force, and with the apparent impending certainty of defeat.

In the latter part of September, 1862, the enemy began to make demonstrations eastward along the coast, to cover their designs upon Galveston. According to Colonel Spaight's report, two armed sail vessels and one steam propeller came to anchor September 23d just outside the bar off Sabine Pass. Early the next morning the two sail vessels, having crossed the bar, took position and opened fire on the Confederate works, to which our gunners promptly replied; but the shots from both sides fell short. The enemy then approached nearer and a brisk fire was opened from both sides and continued till dark. To the chagrin of the officers and men, our shot still fell short, while the enemy was enabled with his long range guns to throw shot and shell around and into our works. Our men, however, stood to their guns, occasionally "mounting the works, shouting and waving their hats in defiance."

When night came on, Major Irvine, thinking that it would be a fruitless exposure of the men and public property to attempt to hold the works another day, began at once to move the ordnance stores and other property, and spiked the guns—consisting of two thirty-two and two eighteen-pounders.

All the government property was saved; but two men, sick with yellow fever, were left in the hospital in the care of competent nurses. In a few days from that time the enemy sent a party ashore. On the 27th they ascended Taylor's Bayou in three launches, fired the railroad bridge over that stream, and carried off three citizens, including the mail boy there. The fire on the bridge was soon extinguished and the bridge saved. Next day the depot, near the bridge on the East Texas Railroad, was burned by the enemy and our communications eastward seriously impaired. At this time yellow fever and measles were raging among our troops on the coast.

Saturday, the 4th of October, the blockading squadron off Galveston consisted of eight vessels, of which four were armed steamers. Early in the morning the *Harriet Lane* (one of the steamers) crossed the bar, flying a white flag, and anchored op-

posite Fort Point, having been brought-to by a shot. An officer from the Harriet Lane having asked for an interview with the post commandant, Colonel Cook, attended by Captain McKene and Hon. M. M. Potter, went out to meet him, and were informed that the commander of the Federal squadron desired a messenger from the city sent out to him to receive his communication. A messenger was accordingly dispatched on this mission, under protection of a flag of truce, his boat putting out from shore without delay. Meanwhile the Harriet Lane recrossed the bar and communicated with the fleet; then all the steamers, together with the mortar boat, came in over the bar and deployed in line where the Harriet Lane had first anchored. A shot was now fired from our battery across the course of the advancing vessels (our flag of truce boat being close by in the bay, in plain view). The enemy responded from all their ships, firing with about twenty guns upon our battery, which consisted of a single gun and was soon disabled. Thereupon the gun was spiked, and our men fell back towards the city. The fleet passed entirely around the point into the harbor, and continued their shelling till our men retired beyond range. The two twenty-four-pounders constituting the Confederate battery on the bay side, near the east end of the city, next opened fire, but without effect upon the advancing ships. Our flag of truce boat now coming up, the firing ceased and the messenger was taken aboard the Federal flagship, and the fleet came to anchor.

Colonel Cook had, under orders, previously made his arrangements for evacuating the city, and, as he had now no means of defense, he ordered the two guns of the south side shore battery to be spiked, and all the material there and at other points to be taken at once to the railroad depot for shipment.

I had never ceased to have apprehensions for the safety of Galveston, and in anticipation of the worst I had ordered the removal of the machinery at the rope-walk and elsewhere to a point of security. This order was set aside by the military. News having reached me at Austin, October 8th, of an expected attack on Galveston, I wrote to General Hebert, then at San Antonio, expressing regret at his sickness, and the hope that he would be able to meet me at Galveston, where the enemy were to be found. I set out at once for the coast. At Houston I

learned of the evacuation of the island, and remained in that city till November 1st, advising with the military authorities as to the proper measures of defense. In accordance with General Hebert's previous orders on the subject, Col. X. B. DeBray, commanding the sub-district, instructed Colonel Cook, October 5th, as follows: "The enemy having possession of Galveston Bay, with an overwhelming force of artillery, you will avoid making, within the city, a resistance which would bring about the destruction of the property of our citizens without resulting in any good to the country. You will move from the city to Virginia Point such material as you can save, and the troops you do not actually need to maintain good order in the city, so long as you are in possession of it. You will give aid and assistance to the provost marshal in removing from the island such machinery as can be removed. You will cause the printing presses to be put out of working order, with as little destruction of property as possible. You will cause the residents, citizens and aliens, to understand that, should the enemy hoist his flag over the city of Galveston, they will at once be cut off from intercourse with the continent by us, and that, in the event of falling into the hands of the enemy, they have but two alternatives left, viz., abject submission, or persecution and insult. You will inform them that should they be too poor to provide for their transportation, the Confederate States government will transport them to Houston free of cost. You will, when an attack by the enemy is imminent, withdraw to Virginia Point, leaving two companies to garrison Eagle Grove, and endeavor to withdraw without loss of men."

"At about 3:30 p. m.," says Colonel Cook, "our flag of truce messenger returned to the city, bearing a demand from the enemy for the surrender of the city, and demanding an immediate answer. I sent a messenger, with the answer that I should not surrender the city, directing the messenger also to say to the commander of the fleet that there were many women and children, and to demand time to remove them. After some negotiation it was agreed that there should be no attack made upon the city for four days; that during that time we should not construct any new or strengthen any old defenses within the city, and that the fleet was not to be brought any nearer. This arrangement

gave us ample time for the removal of all who desired to leave the island, and also for the removal of our troops and material of every kind.

"Meanwhile all four of the guns from both batteries were removed to Virginia Point, and the people fully notified of the situation.

"All machinery of any value was removed. The civil authorities removed all the county records of every kind, and by noon of the 8th we had removed all the government property of any value, except the ten-inch gun at Fort Point, and a large majority of the population of the city had left their houses and the island."

The troops were concentrated at Virginia Point, leaving a sufficient number to hold the battery at the south end of the railroad bridge.

The evacuation was accomplished according to the elaborate instructions given by Colonel DeBray while he was on the island. Colonel DeBray remained with Colonel Cook for three days after the occupation of Galveston by the enemy, conferring with him and endeavoring to formulate measures for resisting a further advance of the enemy. On his departure for the city of Houston, Colonel DeBray ordered the commandant to wire him twice a day of the state of affairs in that vicinity. Colonel DeBray was one of the hardest fighters in the Texan army, and he was deeply mortified at having, under superior orders, to yield the Island City to the enemy without a desperate struggle.

Wednesday evening, October 8th, a meeting of citizens was held in the city hall for the purpose of taking into consideration the state of affairs in the city in consequence of its evacuation by the military and the departure of the mayor and a majority of the aldermen. The meeting appointed Mr. James W. Moore, the oldest magistrate in the county, mayor pro tem., and clothed him with full powers for the enforcement of municipal laws and police regulations during the existing emergency. Four steamers of the enemy's fleet weighed anchor at 9 a. m. Thursday and steamed slowly and cautiously up to the city, and at 10 a. m. took position at the foot of the principal streets, the Harriet Lane taking an anchorage that enabled her to command the street leading to the custom-house.

About 1 p. m. the commander's flagship fired three shots towards the west of the island, whereupon the mayor pro tem., accompanied by Messrs. T. M. League and Captain Hairland, went to the end of St. Cyr's wharf and signaled the fleet. They were immediately answered, and shortly a boat was sent to the wharf and took the party to the commander's ship. The mayor requested Commander Renshaw to communicate to him his intentions in regard to the city, informing him, at the same time, of its abandonment by the Confederate military authorities, of the absence of the mayor and city council, and of his appointment as mayor pro tem. by a meeting of citizens.

Commander Renshaw replied that he had come for the purpose of taking possession of the city; that it was at his mercy, under his guns; that he would not interfere in municipal affairs; that the citizens might conduct their business as theretofore, and that he did not intend to immediately occupy the city and would probably wait until the arrival of a Federal military commander. He said, however, that the United States flag would at once be raised on public buildings, and he would expect the municipal authorities to see that it was respected. The mayor answered that he could not guarantee protection of the flag; that he would do everything in his power, but that persons over whom he had no control might take down the flag and create a difficulty.

Finally the considerate commodore waived this requirement, stating that when he sent the flag ashore he would send a sufficient force to protect it, and that he would not keep the flag flying for more than a quarter of an hour, a sufficient time to show absolute possession. Commodore Renshaw said that he would insist upon the right of any of his men, in charge of an officer, to come on shore and walk in the streets of the city, but that he would not permit men to come on shore immediately, or in the night. He further stated that, should his men insult citizens, he gave the mayor the right to arrest and report them to him, and that he would punish them more rigidly than the civil authorities could or would. On the other hand, he declared that, should any of his men be insulted or shot at in the streets of Galveston, or any of his ships or boats be shot at from the land or wharves, he would hold the city responsible and open fire on it instantly; that his guns would be kept shotted and double-shotted for that

purpose. In conclusion, he announced that it was the determination of his government to hold Galveston at all hazards until the end of the war, and that we could not take the port from him without a navy.

As to citizens communicating with the mainland, Renshaw was at first reticent, but finally said that no communication whatever should be held by water, but that the trains might run up to the island side of the bridge, and freight be hauled in wagons from that point to the city.

Soon after the mayor's return, about 150 marines and sailors, including half a dozen negroes, landed at Kuhn's wharf and marched to the custom-house, and there raised the United States flag. At the expiration of about half an hour the same party took down the flag and returned with it to the fleet.

In a letter to General Hebert, dated October 15, 1862, I said :

"I am happy to say that I believe Colonel DeBray is doing everything he can to guard against the further encroachments of the enemy, and as far as I have been informed of his movements they meet my approval.

"The colonel has taken steps to protect the approaches to Houston and the mainland generally bordering on Galveston Bay.

"In order to guard with any success those approaches and to prevent the escape of slaves and the disloyal, a steam vessel, to cruise in the bay as low down as Red Fish bar, is absolutely essential.

"These emergencies have arisen since I had the pleasure of seeing you at San Antonio. Colonel DeBray has written you, I presume, in regard to the purchase or charter of the boat belonging to the State; she is the only vessel calculated for the services needed that can be had. Let me urge you either to take the vessel at cost, or that you authorize Colonel DeBray to charter her until her services are no longer required.

"The State is not in condition to keep her in commission, and as she is really required by and is now in the service of the Confederate government, I trust you will find it proper to so continue her.

"The cutter Dodge is lying perfectly useless in the San Jacinto River, in a dismantled condition. She draws too much water to

be of any use in the upper bay, and I trust you will order her armament, munitions, etc., to be placed in the service, where they can be of some use.

"I am told there is a very good crew under pay on board of her. In God's name, what does a vessel not intended to be used need with a crew?

"I wish you would come down, or send General Bee to this point. We may have stirring times here, and although, as I said at the outset, Colonel DeBray is an efficient and energetic officer, the people would feel, perhaps, better satisfied if importance enough was attached to the movements of the enemy to call a general to the scene of operations."

Next day (October 16th) I wrote to Commander W. W. Hunter, of the Confederate navy:

"I have ordered Capt. H. S. Lubbock to repair with his vessel, the Bayou City, to Red Fish bar, to watch the movements of the enemy, and to render aid in completing obstructions authorized to be made by Col. X. B. DeBray, commanding sub-district of Houston. This vessel is very poorly provided, and I find it impossible to procure the munitions, boats, etc., needed by Captain Lubbock. Let me beg of you, my dear sir, to furnish him with what you can spare that will be of benefit to the service. He is fully empowered to receipt to you for what he receives, and I will agree to return them to you when required.

"It is impossible to know what the intentions of the enemy may be, and it is all important that there should be a proper lookout kept up.

"Unless the vessel is provided with some means of defense, she can be of but little service."

On November 12th Capt. Henry S. Lubbock advised (by letter) the Military Board of the sale of the State steamer Bayou City to the Confederate States government for \$50,000.

Colonel DeBray promptly reported to General Hebert what he was doing to keep the enemy confined to the city of Galveston, to protect the coast at other points, to perfect a mule express to San Antonio, and to obstruct the rivers and bayous to prevent the enemy from penetrating the country. My brother, Capt. Wm. M. Lubbock, was one of the officers to assist in that important service.

In a postscript to a letter to General Hebert, Colonel DeBray says, under date of October 15th:

"His Excellency Governor Lubbock is here. I enclose to you his proclamation ratifying my order cutting off intercourse with Galveston."

Some interested parties severely commented upon this action, but it was the only course to pursue.

Col. Isaac S. Burrill, of the Forty-second Massachusetts volunteers, reporting to General Banks, says: "Upon arriving at this place (Galveston) on the 24th of December, 1862, . . . I landed the three companies of my command, which were with me upon the transport *Saxon*, on the end of Kuhn's wharf, and quartered them in the warehouse there. I have taken possession of the city as boldly as I could with the small force at my command, and have thoroughly reconnoitered the island up to within range of their battery at Eagle Grove, which is apparently well built, mounting three guns. They have also one gun at the draw, which is about midway of the bridge. Upon Virginia Point they have a strong battery, mounted with heavy guns. From the best information obtainable, I judge their force in this immediate vicinity to be about 2000 strong.

"During the day we control the city, but at night, owing to our small force (as the balance of my regiment has not yet arrived), I am obliged to draw in the pickets to the wharf on which we are quartered.

"I think there are still on the island about 3000 persons,⁶⁴ a large proportion of whom are women and children. A great many of these people are almost entirely destitute of the means of subsistence, as the enemy will not allow anything to be brought over from the mainland, thinking, doubtless, to make them disloyal by starvation. The naval officer in command has contributed all he could spare from his stores, and my men have shared their bread rations with them. I believe the larger part of the residents now here to be loyal and really desire to remain in the city, and that common humanity calls upon us to render

⁶⁴ Ten days before Colonel Burrill's arrival about one hundred half-starved renegades and negroes sailed to New Orleans on the bark *Island City*. Flour was then selling at \$80 a barrel and wood at \$20 a cord.

them assistance. This, in my judgment, can best be done by placing the city under martial law, as soon as my force is large enough, and forcing the rich, who are mainly the secessionists, to feed the poor. I would most respectfully urge upon your consideration the necessity of sending provisions for immediate relief. These can be sold to them at government prices, thus conferring a real charity, without subjecting them to the mortification of being beggars."



GEN. J. BANKHEAD MAGRUDER, C.S.A.

General Banks about this time notified Colonel Burrill that Gen. A. J. Hamilton had been appointed Governor of Texas, would arrive shortly at Galveston, and must be respected as such. Banks informed Burrill that, with no military movements in

immediate view. Galveston would be held principally as a recruiting station for the United States army, and enjoined on him the exercise of prudence.

In response to the general desire for a change of military commanders in Texas, the Confederate States government finally sent us Gen. J. Bankhead Magruder, of Virginia. November 29, 1862, immediately after General Magruder's arrival at Houston, I addressed a letter to Colonel DeBray, thus expressing my views on public matters:

"I learn to-day that General Magruder has arrived at Houston. I am anxious to see him, but it is not convenient at this date for me to leave the capital.

"I do hope, colonel, that the general will take prompt and decisive measures for the protection of the State. He should determine, as speedily as possible, what is required that can not be supplied within his command, and insist upon it being sent to him.

"I feel assured we can furnish the soldiers, if the means of arming and equipping them can be obtained.

"I trust you are getting along well with the obstructions along the bay and in the rivers. Let me beg that, after getting through with the obstructions at Clopper's bar, you will try and obstruct Red Fish. If it is practicable, and can be done speedily, it would insure the safety of the Trinity.

"Colonel, can we not do something at Galveston? If you could devise a plan whereby you could drive those fellows from the wharves of the city and occupy the place, with the sanction of General Magruder, it would make you a name and do much to raise the spirits of our people. I will most cheerfully co-operate with you in such an undertaking, and will accompany you on any expedition that you may get up for such a purpose.

"I think, if it is possible, we should repossess the place.

"I trust you will use every exertion to relieve any good men that have fallen into the hands of the enemy, and that you will retain all prisoners taken by you until our citizens are released.

"I am arranging the papers relative to the transfer of the steamer Bayou City, and will send them by next mail."

The second day after his arrival, General Magruder⁶⁵ assumed command of the District of Texas, New Mexico, and Arizona, and issued an order, from his temporary headquarters at Houston, directing all subordinate officers to forward to him at once field returns of the troops under their command. The quartermasters, commissaries, and other officers in charge of military stores and subsistence, who had served under General Hebert, were ordered to forward reports, without delay, to department headquarters. The commander of Sibley's brigade was directed to report, by letter, the number and condition of his troops, and how armed. Immediate reports from the conscript officers were also called for. These various orders were promptly obeyed. New life seemed infused into the department. It soon became evident that a firm and skillful hand was at the helm of military affairs in Texas, and the hopes and expectations of the people rose accordingly.

General Magruder's staff was made up as follows: Maj. A. G. Dickinson and Capt. E. P. Turner, adjutant inspector-general's department; Maj. B. Bloomfield, quartermaster's department; E. B. Pendleton, commissary department; J. B. Eustis, ordnance officer, and Lieuts. Geo. A. Magruder and H. M. Stanard, aides-de-camp.

December 1st General Magruder informed General Cooper (at Richmond), adjutant and inspector-general of the armies of

⁶⁵ John Bankhead Magruder was born in Winchester, Va., August 15, 1810. He graduated from West Point in 1830; was brevetted major for gallantry at Cerro Gordo, and lieutenant-colonel at Chapultepec, where he was severely wounded; resigned his commission (that of captain of artillery) in the United States army, and entered that of the Confederacy; was made brigadier-general after gaining the battle of Big Bethel, Va.; was placed in command of the peninsula and for several weeks successfully opposed the forward march of the Union army; was then promoted to major-general; took part in the seven days fighting around Richmond, especially distinguishing himself in the battle of Malvern Hill; October 10, 1862, was placed in command of the Department of Texas, and so continued until the close of the war; after the fall of the Confederacy entered the army of Maximilian in Mexico, with the rank of major-general, and after the downfall and execution of the ill-fated emperor returned to the United States; lectured in Baltimore and other cities, and in 1869 made his home in Houston, Texas, where he died February 19, 1871. His remains are interred at Galveston and the spot marked by a handsome monument.—ED.

the Confederacy, of the sailing of the Banks expedition from New York for Texas, and requested an order from him for two batteries of light artillery, then at Columbus, Miss.

In view of the expected invasion, I wrote General Magruder December 6th:

"The Confederate States troops at this time within the State, and the State troops, are probably sufficient for its defense; but they are all of them to some extent, and some of them wholly, destitute of arms. Baylor's command is without any arms at all. The brigade known as Sibley's, who may now be considered as veterans, are not half armed; and the same may be said of every other regiment in the State. . . . I have not thought it out of my line of duty to urge upon you, and through you on the War Department, the wants of our State, and the importance of their being promptly supplied. At least 15,000 stand of arms are needed to equip fully the forces in the State and the new levies about to be raised. . . . I do not think that I overestimate the importance of Texas to the Confederacy, or the interest the government should feel in preventing its being overrun by the enemy. Almost all the only sure trade and communication between the Confederacy and the outside world is through her western frontier into Mexico. Her wheat fields and her hog and cattle ranches contribute largely to feed the armies; her wool and her cotton factories clothe them, in part; her sons have not been behind the foremost at the call of duty, and have poured their blood, like water, upon the battlefields of liberty. She deserves a better fate at the hands of the authorities than to be left, with the old men and boys, to defend herself, while denied the means of effectually doing it."

Whereupon the General, without delay, wrote General Holmes (at Little Rock), commander of the Trans-Mississippi Department:

"A large expedition, under General Banks, will arrive at Galveston probably in a few days. I find the coast and Rio Grande given up. With my troops well armed, I might recover important points on the coast, and probably save the Rio Grande, so necessary to us. Under these circumstances, I can not but concur in the opinion of the Governor of Texas as to the necessity of keeping some well-armed troops."

In response to this communication, Col. Chas. De Morse's regiment (Twenty-ninth cavalry), then under orders for Fort Smith, was retained in Texas. My letter to General Magruder was enclosed in this communication to General Holmes.

An invasion was expected by way of the coast or the Rio Grande, and Magruder left no stone unturned in making preparations to meet it. On the 9th he again addressed General Cooper, saying: "In Baylor's command of about 500 men only fifty-five are armed at all. I have only 1000 Enfield rifles and about 200 small arms to issue," and concluding with a requisition for 12,000 stand of arms, three batteries of rifled cannon, and three batteries of smooth-bore guns. General Magruder had won his spurs in Mexico in 1846-7 as commander of field batteries, and his desire for proper equipment in that arm was not surprising.

The General also addressed Jas. H. Seddon, Secretary of War, as follows:

"I can not ask too urgently your attention to the enclosed letter of Governor Lubbock as to the pressing need of arms for the troops necessary for the defense of this State. Texas, though she has stripped herself of her young men, who are nobly fighting the battles of the Confederacy beyond her limits, needs but arms in the hands of her warlike and veteran pioneers, who have remained at home, to enable her to defend her soil successfully; but these arms she has not. All the rifles and shotguns, at one time in the hands of her citizens, have been sent with her troops to the army elsewhere, and she is now absolutely without any whatever, except the few with which the troops in the field here are badly armed." He closed by repeating his requisition for 12,000 stand of arms, with ammunition, and the light batteries. He wrote to General Holmes on December 19th: "I had ordered Sibley's brigade to Harrisburg . . . to protect the coast and the railway, the latter absolutely vital. . . . There are not more than 6000 men armed in all Texas. There ought to be that number alone on the Rio Grande. I was about to send an expedition there to regain the frontier; but if Sibley's brigade and Stone's and Gurley's regiments are taken from me I will not be able to do so. I beg, therefore, that the order alluded to by

you, for these troops to proceed to Vicksburg, be countermanded."

A day or two later, having learned more of the contemplated invasion of Texas, Magruder repeated his request for the retention of Sibley's brigade in the State, saying as to expected invasion: "I am by no means prepared [to meet it.—ED.] by reason of the disorder and want of organization which prevails here on account of the removal of troops from this district. . . . It is scarcely necessary for me to say that great dissatisfaction exists in this State at the removal of armed troops from its limits, and the retention of those only who are unarmed."

The order for their withdrawal was not countermanded; but before their preparations to march were completed Magruder planned, fought, and won the battle of Galveston, Sibley's brigade taking an honorable and glorious part in the engagement. On the same day that Magruder preferred his last request, he wrote to me as follows: "In view of the diminution of our forces by the removal of the above mentioned troops from this State, and of the arrival of the Federal forces momentarily expected, I have to request that you will call out at once all the militia which the State can possibly arm, and cause them to rendezvous at Harrisburg."

As to this requisition, I did not consider it a new call for troops, but only for a rapid concentration of forces organizing under Hebert's last call. The necessary orders for that purpose were accordingly given, and Colonel Reiley, commanding Sibley's brigade, speedily massed the troops at Harrisburg. Old Harrisburg, now full of soldiers, presented a more warlike appearance than when the Texan government officials were fleeing before the legions of Santa Anna in 1836.

Magruder, on December 20th, issued an address to the people, exhorting them to fight to the last extremity, and showing, by a review of Butler's rule in Louisiana, that no submission, however abject, would save them from insult and spoliation of property, if the enemy were permitted to once gain control of the State. "The line of seaboard, from the Sabine to the Colorado," said he, "must be held at all hazards." He said that General Banks had landed at New Orleans with 20,000 men, and would almost certainly advance on Texas. And as to the duty of all

Texans, under the circumstances, he said: "Texans, need I tell you what reception to give these men? Wait not for orders, but attack them at once, and furiously, wherever they shall be found." A sentiment, this, worthy of ancient Rome in her palmiest days.

The coast country designated was marked on the north by the railway line from Orange, on the Sabine, to Columbia, on the Brazos, and thence by a straight line to Texana, Victoria, and Refugio. All negroes were ordered removed from this district, and all surplus corn found there collected, paid for, and brought in for the use of the army.

Under Magruder's orders all cotton, tobacco, and property of every kind in the coast country was to be destroyed whenever it became necessary to prevent its falling into the hands of the enemy. This was an outlining of desperate measures, but his plans were the outgrowth of and justified by necessity, and were sanctioned both by military law and the laws of his country. Had such sacrifices become necessary the people would have cheerfully made them. Happily, however, Magruder did not find it necessary in Texas to practice the Russian plan of defense, viz., destroy everything before an invader.

Consulting Engineer C. G. Forshey, on Christmas day, after due exploration of Galveston Bay and adjacent waters, and consultation with General Magruder, thus wrote Colonel De Bray, commanding at Virginia Point:

"General Magruder directs that you summon Capt. Leon Smith, and direct him to prepare the Bayou City for service immediately; to put a platform on the boat for the thirty-two-pounder rifled cannon, which will be sent to Harrisburg to-morrow; to prepare the Neptune in like manner for the two twenty-four-pounder howitzers, now at Harrisburg. He will use cotton on the decks of both to give the appearance of protection, and not wait to fasten it, if it costs time. For this purpose he will use all the mechanics and other force that can be worked with advantage, taking the material and property needed by seizing it, if necessary. . . . He will call for 150 volunteers for each boat, taking citizens and soldiers from all quarters. . . . He will use the small arms already given him. . . . He will be

ready to move at noon day after to-morrow to take part in an attack upon the fleet, if things do not change. . . . The coxswain of the Owasco, a deserter, says the fleet can be easily driven out of the harbor, and he is anxious to take part and lead a cotton boat in the fight. . . . He will not prove false; if he does, he dies. He wishes to serve the gun himself. Take him on board, but do not let him go near the gun. Treat him kindly, and let him remain near the captain. Take any man's cotton, unless it can be bought. I prefer Major Smith to go in command of both boats. . . . Keep the coxswain, Monroe, from liquor. Colonel De Bray will order down such unarmed men of Sibley's brigade as can be spared. Captain Good has still some Mississippi rifles, or other small arms, on hand. Let him issue them to Major Smith, to arm his vessel. Tell the editors of papers not to publish a word as to army movements in this State. Colonel De Bray will be sent for, if there is a fight. Send the message to Colonel Hardeman at Columbus, and no farther."

On the same day General Magruder, then at Virginia Point, wrote to Major Shea, at Lavaca, to burn the railroad ties at Indianola and Lavaca; move a cavalry battalion, without their horses, from near Victoria to Lavaca, and burn or destroy the lighthouses at Saluria and Pass Cavallo, and all the houses at Pass Cavallo, if practicable. He also wrote to Major Hobby, at Corpus Christi, instructing him to destroy the lighthouse at Aransas, and to Colonel Buchel, near Brownsville, to destroy the lighthouse on Padre Island.

I had managed about the middle of December to visit Houston, and there, for the first time, met General Magruder. We had a long and satisfactory conference over the situation and needs of the State. It was gratifying to me to find in General Magruder the characteristics of a true patriot, a courteous gentleman, and a gallant soldier. My views had already been given him in extenso in my letter of December 6th. I cordially approved his plan to recapture Galveston, and it was the understanding that I should accompany him when he was ready for the enterprise. Meanwhile, I had to return to the capital on pressing official business; and on my arrival at Austin was confined to my bed with a severe attack of inflammatory rheuma-

tism, the result of cold⁶⁶ contracted the night before I left Houston. My physician was summoned without delay, and he peremptorily forbade my leaving the house for a couple of weeks. Thus I lost the opportunity of sharing the dangers and glory of the victory at Galveston. Captain Turner, Magruder's chief of staff, knowing, perhaps, my helpless condition, did not even notify me (although he had promised to do so) when everything was ready.

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⁶⁶ Caused by exposure on the wet and muddy streets, on being aroused from sleep to quell a riot at the jail, excited by a crowd of soldiers clamoring for the release of a popular comrade.

CHAPTER TWENTY-FOUR.

Battle of Galveston—General Magruder Leads the Land Forces in Person and Commodore Smith Commands the Cotton-Clads—A Glorious Victory—Official Reports from Both Sides—The Blockade Raised—General Magruder Congratulated by General Houston and Others—Naval Attack on Galveston—The Alabama—The Hatteras Sunk—Battle Off Sabine Pass and Confederate Victory—Magruder's Reports and Recommendations—Results of the Month's Campaign.

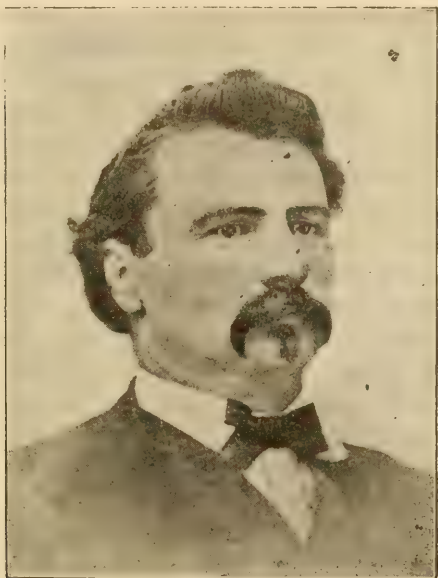
A combined attack upon Galveston by land and sea was Magruder's plan. Finally all the preparations were completed.

On the morning of the 31st of December, 1862, he assigned Capt. Leon Smith⁶⁷ to the command of the Confederate flotilla on Buffalo Bayou, consisting of the steamboats Bayou City and Neptune, and the tenders John Carr and Lucy Gwinn. Commodore Smith was an experienced naval officer, and had already rendered good service for Texas at Indianola and elsewhere. Smith's promotion to so important a command at this time was therefore a deserved recognition of merit, amply justified by his subsequent career.

The cavalry regiments of Colonels Tom Green and A. P. Bagby furnished the volunteers (300 in number) needed as marines. Colonel Green, on the Bayou City, was the ranking army officer, and commanded all the land forces on the steamers. Colonel Bagby was the immediate commander of the troops on the Neptune, which also had on board an artillery company under Lieutenant Harby.

⁶⁷ Leon Smith was born in Alfred, Maine; went to sea at thirteen, and at the age of twenty commanded the United States mail steamship Pacific, running between San Francisco and Panama; was later commodore of the Morgan line of steamships running from New York to Galveston; was commander of the Rusk at the beginning of the war; won distinction as a Confederate naval officer by his skill and bravery in the capture of the Star of the West, and able and gallant services on other occasions; and after coming out of the war unscathed and with honor bright, was basely murdered by an Indian at Fort Wrangle, Alaska, in December, 1869. His body was brought to Texas, and has since rested in the city cemetery at Houston. Commodore Smith was undoubtedly the ablest Confederate naval commander in the Gulf waters.—ED.

The Carr, Captain Lawson, had on board one company of infantry, and the Lucy Gwinn was simply used as a hospital boat. Nearly all the troops were veterans of Sibley's brigade and inferior to none in the Confederate service. As a protection to the pipes and engines, cotton bales were placed across the forward decks and on the guards. Vessels so defended were then and afterwards very properly designated as "cotton-clads."



COMMODORE LEON SMITH, C.S.N.

Later in the afternoon General Magruder and staff boarded the cars at Houston for the coast. At Sunset Station the general dispatched a courier to Morgan's Point with orders to Commodore Smith to proceed with his fleet to the upper part of Galveston Bay, and there wait until the sound of cannon announced that the land attack had begun, and then immediately engage the Yankee vessels in the harbor.

At dusk, General Magruder and suite arrived at Virginia Point, the rendezvous of the land troops.

The army at once began to move across the bridge to the island.

A slight delay was caused by the mules hitched to the guns proving refractory and refusing to go upon the bridge. The animals were quickly unharnessed, and some of Elmore's men drew the artillery over. With fifteen or twenty pieces of cannon, including six siege guns, the march of the army was necessarily slow.

Magruder had, a few nights before, with eighty picked men, entered the city of Galveston and made a thorough reconnoissance of the ground and the position of the enemy.

The Yankees, about 300 strong, were stationed at the end of a long wharf, crowded into large buildings, the entire position well covered by the guns of the steamships, and the approaches guarded by two lines of strong barricades. Communication from the shore was rendered difficult by the removal of portions of the wharf in front of the barricades. It would be necessary for an attacking party to wade through the water to reach the wharf, and to devise some means to mount upon it when reached. For the latter purpose Magruder distributed fifty scaling-ladders among the men of the storming party. Most of the cannon, together with a railroad-ram armed with an eight-inch Dahlgren, were transported along the railroad track to within a convenient distance of the enemy.

The most important objective point to be carried was Fort Point, at the mouth of the harbor. The plan was for Captain Fontaine (of Cook's regiment), with six companies of Pyron's regiment, to lead the attack on this position, while Wilson's battery of six pieces opened on the enemy from the Center wharf, and Colonel Cook, with 500 men and the scaling-ladders, stormed the wharf on which the enemy's land forces were barricaded.

"Leading the center assault in person, I approached within two squares of the wharves," says General Magruder, "at which point I directed the horses of the field pieces to be removed from them and placed behind some brick buildings for shelter from the anticipated discharges of grape and canister. After allowing the lapse of what turned out to be ample time for Captain Fontaine to reach and occupy his more distant position, the guns were placed along a line of about two and one-half miles, principally within the limits of the city. It having been agreed that the fire of the center gun should furnish the signal for a general attack, I proceeded to carry out this portion of the plan by dis-

charging the piece myself. The signal was promptly responded to by an almost simultaneous and very effective discharge along the whole line. The moon had by that time gone down, but still the light of the stars enabled us to see the Federal ships. The enemy did not hesitate long in replying to our attack. He soon opened on us from his fleet with a tremendous discharge of shell, which was followed with grape and canister. Our men, however, worked steadily at their guns under cover of the darkness. Colonel Cook now advanced with his storming party to the assault; his men, wading through the water and bearing with them their scaling-ladders, endeavored to reach the end of the wharf on which the enemy were stationed. Colonel Cook was supported by Griffin's battalion, and by sharpshooters deployed on the right and left in order to distract the enemy's attention. A severe conflict took place at this point, our men being exposed to a fire of grape, canister, and shell from the ships, as well as of musketry from the land forces. The water was deep, the wharf proved higher than was anticipated, and the scaling-ladders, as was reported to me by Colonel Cook, were found to be too short to enable the men to accomplish their object. After an obstinate contest, the infantry were directed to cover themselves and fire from the buildings nearest the wharf, which was accordingly done.

"The enemy's fire was deadly. The ships being not more than 300 yards from our batteries, it was extremely difficult to maintain the position we had assumed, and some of the artillerymen were driven from their pieces. As daylight, which was now approaching, would expose these men still more to the enemy's fire, and as our gunboats had not yet made their appearance, I ordered the artillery to be withdrawn to positions which afforded more protection, but from which the fire could be continued on the adversary with greater advantage to us. Knowing Captain Fontaine to be in a position the most exposed of all, I at the same time dispatched a staff officer with instructions to have his pieces likewise withdrawn. This order reaching Captain Fontaine's men before it was received by their captain, and the concentrated fire from the enemy's ships but a few hundred yards distant having increased in intensity, they were compelled to leave their

pieces. They were, however, soon formed by Captain Fontaine in a position of greater security.

"The delicate duty of withdrawing the pieces in the city from the close vicinity of the enemy was intrusted to Brigadier-General Scurry, who performed it with skill and gallantry. Preparations were then ordered for the immediate fortification and permanent occupation of the city. But at this moment, our fire still continuing, our gunboats came dashing down the harbor and engaged the *Harriet Lane*, which was the nearest of the enemy's ships, in the most gallant style, running into her, one on each side, and pouring on her deck a deadly fire of rifles and shotguns. The gallant Captain Wainwright fought his ship admirably. He succeeded in disabling the *Neptune*, and attempted to run down the *Bayou City*, but he was met by an antagonist of even superior skill, coolness, and heroism. Leon Smith, ably seconded by Captain [Henry S.] Lubbock, the immediate commander of the *Bayou City*, and by her pilot, Captain McCormick, adroitly evaded the deadly stroke, although as the vessels passed each other he lost his larboard wheelhouse in the shock. Again the *Bayou City*, while receiving several broadsides almost at the cannon's mouth, poured into the *Harriet Lane* a destructive fire of small arms. Turning once more, she drove her prow into the iron wheel of the *Harriet Lane*, thus locking the two vessels together. Followed by the officers and men of the heroic volunteer corps, Commodore Leon Smith leaped to the deck of the hostile ship, and, after a moment of feeble resistance, she was ours. The surviving officers of the *Harriet Lane* presented their swords to Commodore Leon Smith on the quarter-deck of the captured vessel. After the surrender, the *Owasco* passed alongside pouring into the *Harriet Lane* a broadside at close quarters, but she was soon forced to back out by the effect of our musketry.

"Commodore Smith then sent a flag to Commodore Renshaw, whose ship had in the meantime been run aground, demanding the surrender of the whole fleet, and giving three hours' time to consider. These propositions were accepted by the commanding officer, and all the enemy's vessels were immediately brought to anchor, with white flags flying. Most of this time was occupied in attempting to get the *Harriet Lane* to the wharf in order to

remove the wounded to a place of safety. The ships and boats were so much damaged that this was found to be almost impossible with the means at hand. Proceeding myself to the wharf, I met one of my most distinguished and scientific staff officers, Maj. A. M. Lea, who informed me that on board the *Harriet Lane* he had found his son, the second in command, mortally wounded. He represented to me that there were other officers badly wounded, and urged me to delay, if possible, their removal. It now being within an hour of the expiration of the period of truce, I sent another flag to Commodore Renshaw, whose ship was among the most distant, claiming all his vessels immediately under our guns as prizes, and giving him further time to consider the demand for the surrender of the whole fleet. This message was borne by Colonel Green and Captain Lubbock. While these gentlemen were on their way in a boat to fulfill their mission, Commodore Renshaw blew up his ship and was himself accidentally blown up with it. They boarded the ship of the next in command, who dropped down the bay, still having them on board, and carried them some distance toward the bar, while still flying the white flag at the masthead.

"In the meantime, General Scurry sent to know if he should fire at the ships immediately in his front at the expiration of the period of truce. To this I replied in the negative, as another demand under a flag of truce from me had been sent to the commodore. When the first period of truce expired, the enemy's ships under our guns, regardless of the white flags still flying at their mastheads, gradually crept off. As soon as this was seen, I sent a swift express on horseback to General Scurry, directing him to open fire on them. This was done with so much effect that one of them was reported to have sunk near the bar, and the *Owasco* was seriously damaged.

"I forward a correspondence on this subject between Commodore Bell and myself. In this correspondence Commodore Bell states that the truce was violated by the firing of cannon and small arms by our men on shore, as he had been informed. This is an error; not a gun or small arm was discharged during the stipulated period, or until the enemy's vessels were discovered to be creeping off out of the harbor. Commodore Leon Smith fired a heavy stern gun at the retiring ships with effect from the

Harriet Lane. Jumping on board the steamer Carr, he proceeded to Bolivar channel and captured and brought in (in the immediate presence of the enemy's armed vessels) the two barks and schooner before spoken of. As soon as it was light enough to see, the land force surrendered to General Scurry.

"We thus captured one fine steamship, two barks, and one schooner. We ran ashore the flagship of the commodore, drove off two war steamers, and sunk another, as reported, all of the United States navy, and the armed transports, and took 300 or 400 prisoners. The number of guns captured was fifteen, and,



GEN. TOM GREEN, C.S.A.

being found on Pelican Spit, a large quantity of stores, coal, and other material also was taken. The Neptune sank; her officers and crew, with the exception of those killed in the battle, were saved, as were also her guns. The loss on our side was 26 killed, and 117 wounded. Among the former was the gallant Captain Weir, the first volunteer for the expedition. The alacrity with which officers and men,—all of them totally unacquainted with this novel kind of service, and some of whom had never seen a ship before,—volunteered for an enterprise so extraordinarily and apparently desperate in its character, and the bold and dash-

ing manner in which the plan was executed, are certainly deserving of the highest praise.

"Although it may appear invidious to make distinctions, I nevertheless regard it as a duty to say that too much credit can not be bestowed on Commodore Leon Smith, whose professional ability, energy, and perseverance, amidst many discouraging influences, were so conspicuously displayed in the preparation for the attack, while in its execution his heroism was sublime. In the latter he was most ably and gallantly seconded by Colonel Green, commanding the land forces serving on board of our fleet; by Captain Lubbock, commanding the Bayou City; by her pilot, Captain McCormick; Captain Wier, commanding the artillery; Captain Martin, commanding dismounted dragoons, and by the officers and men on board of that boat. Though in the case of the Neptune the result was not so favorable, her attack on the Harriet Lane was equally bold and dashing, and had its weight in the capture. Colonel Bagby, commanding the land troops on board the Neptune; Captain Sangster; her pilots, Captains Swift and McGovern; Captain Harby, and the officers and crew of the ship, likewise deserve, as they have received, my thanks for their participation in this brilliant battle. The engineers, among whom Captain Seymour, of the Bayou City, and Captain Conner, of the Neptune, were distinguished by remarkable coolness, skill, and devotion in the discharge of their important duties.

"In the land attack especial commendations are due to Brig.-Gen. W. R. Scurry, Col. X. B. De Bray, Major Von Harten, Cook's regiment of artillery; Captain Fontaine, Cook's regiment; Maj. J. Kellersberg, of the engineer corps; also to Colonels Cook, Pyron, Lieutenant-Colonel Abercrombie, commanding Elmore's men; Major Griffin, Major Wilson, of the artillery; Captain Mason, Captain McMahan, and to the accomplished and devoted Lieutenant Sherman, who fell at his piece mortally wounded, and to privates Brown and Shoppman, of Daly's company of cavalry, the latter of whom kept up the fire of one piece almost without assistance, under the enemy's grape and canister."

The General did not forget to notice his staff officers, complimenting Capt. E. P. Turner for his "conspicuous gallantry," and commending for their "gallantry, promptness, and intelligence," Lieuts. Geo. A. Magruder and H. M. Stanard to the

special consideration of the government. He also acknowledged the services of numerous volunteer aides, including Judge P. W. Gray, Hon. J. A. Wilcox, M. C.; General Howard, of the State troops, Major Tucker, E. W. Cave, and Hon. M. M. Potter. He recommended to the especial consideration of the President Gen. John R. Baylor, for his "gallant conduct as a private, serving the guns during the hottest of the fight." Among others favorably mentioned were: Lieutenant-Colonel Manly, Major Watkins, and Colonel Forshey.

The following additional account of the naval part of the battle will give the reader a more complete idea of the engagement:

Commodore Smith's cotton-clad fleet, cutting loose from the wharf at Houston about the middle of the afternoon, steamed off for battle with flying colors, and amid the cheers of the spectators. Military bands discoursed martial music, and the boys missed a good chance if, in passing the San Jacinto battleground, they did not respond with a rebel yell to the tune of Dixie. Colonel Green himself had been one of Houston's artillerists at San Jacinto, and many of his men had seen service in that famous campaign. More than a quarter of a century had since elapsed, and these gallant men, ever ready, if need be, to die for Texas, were now hurrying on to meet a worse foe than the Mexican.

On the way down several patriotic volunteers were taken aboard, among others, a son of Vice-President Lorenzo de Zavala, Mr. Roper (the tax collector of Harris County), my brother William, and Henry's son James. At Morgan's Point the fleet was hailed and brought to by a mounted soldier on shore. Taken aboard the flagship, he proved to be a courier from General Magruder to Commodore Smith, with this greeting: "The stormers⁹⁸ of the land, to the stormers of the sea," and also a message stating that the land forces would open the fight, and that the fleet must not engage the enemy in the bay till the signal of attack was heard from Magruder's guns.

These dispatches had an exhilarating effect, showing, as they did, that all arms were moving upon the enemy.

⁹⁸ Judge P. W. Gray, at the time on Magruder's staff, said a few days later: "General Magruder sent from Summit Station, on the railroad, this dispatch to Commodore Smith and Colonel Green: 'I am off, and will make the attack as agreed, whether you come or not. The rangers of the prairie send greeting to the rangers of the sea.'"



CONFEDERATE COTTONCLADS ON THEIR WAY TO BATTLE. GENERAL MAGRUDER'S GREETING
TO COMMODORE LEON SMITH, DEC. 31, 1862.

Passing Clopper's and Red Fish bars, the commodore soon sighted the enemy's fleet. Rockets were immediately sent up from all the Federal vessels as a signal of expected Confederate attack. Under orders (as before stated), the flotilla hove to and waited for Magruder's signal.

"At last came the expected signal," says Capt. Henry S. Lubbock, "first from a heavy cannon, and then from smaller pieces. We could not mistake the clear ring of the little cannon, which we at once recognized as the Nichols guns. Then came the boom, boom, of the heavy guns of the enemy, telling plainly that the fight had begun.

"Our boys replied with a deafening rebel yell, and our vessels were at once put in motion and steamed briskly down the bay towards the hostile fleet.

"The Bayou City, in the van, was equipped with boarding planks,—one on the larboard and one on the starboard side,—under the special charge of Commodore Smith.

"When within about two miles of the enemy, our gun was discharged without effect. The Lane was then engaged with a shore battery. She immediately paid attention to us, but we were not touched, and kept rapidly advancing. After one discharge from our cannon, it was again loaded. The shot, when rammed half-way down, stuck in the barrel. When the match was applied the gun burst, instantly killing Captain Weir and two of the gunners who were working it. The body of Captain Weir was found on the deck after the explosion; those of the men were doubtless blown overboard, as they were nowhere to be seen. Unexpected and tragic as this event was we could bestow little attention upon it. We were now approaching the Lane at a lively rate of speed, high steam and a strong ebb tide sweeping us down the bay.

"When about 800 yards off, I shaped our course for the docks, abreast of which the Lane was anchored. I wished to run below the vessel, turn, and come up, with the tide against us; but perceiving there was too much risk in that movement, and being only about 500 yards from the Lane, I pointed the Bayou City directly for her. The swift current carried us past the Lane, the two vessels grazing, and our wheel-house being torn off. At the critical moment the guy-rope holding our grappling device

was not cut, and to make matters worse it was cut when too late. As we drifted past the Lane our men poured a deadly fire into her, a perfect fusilade being kept up for about a minute. It was at this time that the casualties occurred on the Lane. We drifted down with one wheel fouled. This was soon cleared, and we backed into a slip, which enabled us to turn quickly, and we then headed for the Lane, with the current on our bow, and our boat, consequently, under complete control.

"By this time the Neptune (Captain Sangster) had come up to and in collision with the Lane in an effort to ram her, but without damage to the Lane. The Neptune, however, stove in her own prow, and, commencing to sink rapidly, drifted past the Lane and sunk near the wharf. In passing, Captain Harby, with his little brass pieces, fired away with no appreciable result. The infantry on the Neptune did not prevent the gunners of the Lane from discharging two twenty-pound Dahlgrens which she carried on the after-deck as stern-chasers, creating fearful havoc on the Neptune. The sinking of the Neptune left the Bayou City to battle single-handed with all the Federal vessels in the harbor. The Bayou City made a rush, under a full head of steam, for the Lane. When within easy rifle range the order was given 'shoot at will,' and our men opened a brisk and effective fire, and a moment later the sharp stem of the Bayou City struck the Lane, carrying away a three-inch wrought-iron brace attached to the guard-beam and hull, and cutting into the iron water-wheel of the enemy. At this time, while we were fouled with the Lane, the Owasco came up within 200 yards and opened on us with shrapnel. We lost one man killed by a shrapnel bullet. Quite a number of shrapnels burst on our decks, embedding balls in our engine frame, and our heater was broken. A ten-inch solid shot from the Owasco passed through the Lane's cabin, striking the water pitcher on the sideboard, and, coming out of the port window, struck the broken gun-carriage on the Bayou City's deck, and there remained. I called on Capt. J. Martin and his sharpshooters to attend to the Owasco. One round from them and the Owasco retired.

"A white flag was then raised on the Harriet Lane, and immediately afterwards white flags were raised by the other vessels

engaged. In response thereto I was (at my request) dispatched by Commodore Smith to make a formal demand for the surrender of the enemy. I manned one of the Lane's boats with a crew from the Bayou City, and was pulled away to discharge this commission. Coming up with the Owasco, I went aboard and explained to her commodore, Captain Wilson, the nature of my visit. He replied that he was not in command of the fleet. We then made our way to the Clifton, and I boarded her, climbing up the side and through a port onto her deck. Captain Law, her chief officer, met me. We retired to his stateroom, and there I demanded the surrender of his fleet. It was then about 7:30 o'clock New Year's morning, 1863. The captain inquired, 'What are your terms?' 'We'll parole the officers and crews,' said I, 'and give you the sailing ships for transportation, the steamers to remain in the harbor.' 'How much time,' asked Captain Law, 'is given? I wish to consult with the commander of the Westfield.' 'Two hours, or until 9 o'clock,' was the reply.

"Our conference was witnessed by Mr. Hanna, who was a petty officer on board the Harriet Lane. I brought him with me, so that he might inform the Federal commander if he was questioned as to the condition of the Lane. I informed Captain Law that he could have Mr. Hanna accompany him to the Westfield, which he did.

"Leaving the Clifton, we pulled for the city front. Seeing a force of our men ashore, back of Khun's wharf, and some of them wading in the water, I stopped at the end of the wharf for the purpose of procuring a courier and sending word to General Magruder of the exact condition of affairs. On reaching the wharf, I found that there were no steps leading up to it from the water's edge. As the tide was low, the distance to the platform of the wharf was considerable. I was very tired, and would have found it difficult, if not impossible, to climb up the smooth piling. I was saved the trouble of making the attempt. A tall soldier leaned over the docks, reached down his hand, and said, very politely, 'Let me assist you, sir.' With his aid I swung onto the dock. He introduced himself as Colonel Burrill, of the Forty-second Massachusetts, and requested that the same terms which were given to the fleet be extended to his regiment.

"My reply was, 'I have nothing to do with the land forces. What officer is in front of you?' He replied, 'General Scurry, and if you desire it, we will walk out and see him.'

"Whereupon we walked out on the string-pieces,—all the planking on the wharf having been taken up.

"(Observing our approach, an officer was sent forward to meet us. When he was informed of our names and rank, and that we wished to see General Scurry, he requested us to advance. As soon as we made our way from the wharf to the shore, we were met by General Scurry and staff, and I introduced Colonel Burrill, and told General Scurry that he desired the same terms that were given the fleet.

"Scurry looked in a quizzical way at me, for he, of course, was in the dark as to what had been done by the marine forces. I repeated to him (what I had already told Colonel Burrill) the details of the victory won by our men on the water.

"Scarcely had the words passed my lips before the General's adjutant, Lieutenant Jones, taking in the situation, said, in an audible whisper: 'General, make the surrender immediate and unconditional.'

"Then Scurry talked to Burrill for about a minute in such a fatherly way that it soothed the sting of defeat in the Colonel's breast, and I am certain he returned to the wharf a happier man than when he left it a few moments before.

"In order that I might take the news to General Magruder, I was furnished with a mount and an orderly to conduct me to headquarters, located in the handsome residence of Colonel Nichols. We made our way there without any loss of time.

"General Magruder walked out of the house to meet us. I had been lifted out of the saddle, and Turner, Foster, and others of the General's military family were almost carrying me in their arms. The General espied me, caught me in his arms, and hugged me as a father would a long-lost boy.

"'How fares the day, Captain?' said he.

"'We have won the fight, General.'

"'How is that? What do you mean? Where is the Bayou City?'

"'General,' I replied, 'she is alongside her prize, the Harriet Lane.'

"What a ripple of delight ran through the party. They were at breakfast when I arrived. I was hungry, and it did not require a second invitation to cause me to drop into a chair and do ample justice to the viands that were spread upon the table, while the General rolled out questions at a rate that none but he could do, and the answers all pleased him.

"Breakfast through, the general expressed a desire to see the prize.

"We left the house, proceeded to the wharf, and embarked for the prize. The party consisted of Gen. J. Bankhead Magruder, his adjutants Captains Turner and Foster, and myself and boat's crew. I was steering the gig and so shaped our course as to pass within about fifty feet of the Owasco, on the port side. As we passed her I raised my cap, the General and staff officers followed suit, and the captain and officers on board the Owasco acknowledged the salute. A few strokes of the oars left the vessel astern.

"Commodore Smith had caused the Lane to be docked, and when we arrived at that vessel's side he was in a very audible voice counting the prisoners as they were passed ashore.

"The General, Captains Turner, Foster, and myself, went on board the Lane and visited the cabin, where we had a very social chat.

"An answer was due from Captain Law at 9 o'clock, and it was near that hour, so I informed the General, who thereupon said to me: 'Tell them, sir, that we have two more rams coming down the bay, and now in sight, a large land force in reserve, and nothing remains for them to do but to surrender.' Turning around, the General saw Col. Tom Green, and said: 'Colonel, go with Captain Lubbock.' Lieutenant Shephard, Colonel Green's aide, was at his request permitted to accompany us.

"We started down the bay and caught up with the Owasco, then under way (with a white flag at her masthead), slowly feeling her way out of the harbor.

"We boarded her, and I said to Captain Wilson: 'I expected to find you at anchor; the time of stipulation is not up.'

"He replied: 'You are mistaken, sir; you entered into no stipulation with me.' On reflection, I acknowledged my error.

"We left the Owasco and pulled for and boarded the Clifton while she was slowly steaming out of the bay, with a flag of truce flying at her masthead.

"I asked Captain Law where he was going.

"'To sea,' was his answer.

"'You are breaking the stipulation,' was my rejoinder.

"'No, sir; I am acting under orders of my senior.'

"Captain Law evidently alluded to Captain Renshaw of the United States steamer Westfield, whom he consulted after the demand was made for surrender.

"The Westfield was aground off Pelican Spit at the time she was communicated with by Captain Law. The tide was then running ebb, and it was impossible to get her afloat. The work of transferring the officers and men of the Westfield to the sailing ship was commenced prior to Captain Law leaving the Westfield and returning to his vessel, the Clifton. Captain Renshaw and a boat's crew remained on the Westfield for the purpose of destroying the vessel rather than let her fall into our hands. In accomplishing the destruction of the vessel the captain lost his own life and the lives of a portion of his boat's crew. After pulling away from the vessel, he returned to it, the magazine not having blown up as he had planned. Just as he and his men stepped on board to examine the fuse, the explosion occurred. This incident transpired while the flag of truce was flying.

"While Captain Law and I were talking, the Clifton was proceeding rapidly through the water and was soon at the bar buoy. I here noticed that Shepherd was showing signs of seasickness, and requested Law to slow down so that I could leave the ship. The vessel's headway was checked, and Colonel Green, Lieutenant Shepherd and myself left the Clifton, and the last incident of the battle of Galveston was closed.

"I felt then, as I do now, that it was not a manly act to leave the harbor with the flag of truce flying.

"On my return to the Lane, I found the Federal officer whom I had left with Captain Law for the purpose of accompanying him to Captain Renshaw. This officer's conduct was in sharp contrast with that of his superior. He had pledged his word to return, and had done so, pulling with a pair of sculls a small

dingey from the Westfield to the Lane. I regret that I do not remember this officer's name. My impression is that it was 'Hanna,' and his home Boston.

"It would be a matter of considerable historical interest to give the names of all those who were on the Bayou City during the conflict. I regret that I can not supply them. I recollect the names of a few, however, and give them below: Captain Leon Smith, commodore of the Confederate fleet; Henry S. Lubbock, captain of the Bayou City; L. C. Hershberger, chief engineer; John Curly, second engineer; — Evans, third engineer; — Haughwout, fourth engineer; M. McCormick, John Paine, and Drurie Specernagle, pilots, and John Donohue, fireman, the latter now living in this State. The military on board I have already mentioned."

The United States steamer *Cambria*, from New Orleans, arrived outside the bar January 2d, at 7 p. m., and cast anchor, as no pilot appeared to conduct her in, and a high wind and heavy sea rendered it unsafe to attempt an entrance into the harbor. This vessel had on board two companies of the First Texas cavalry, horses of the Second Vermont artillery, and a great number of men, women, and children—Union refugees who had previously left Texas. The captain of the *Cambria*, ignorant of the Confederate occupation of Galveston, and eager to effect an anchorage inshore, dispatched a boat with six men the next afternoon (two soldiers and four refugees) to the city for a pilot.

"On the 3d of January," says General Magruder, "(I then on board the *Harriet Lane*), a yawlboat containing several men, in command of a person named Thomas Smith, recently a citizen of Galveston, and who had deserted from our army, was reported alongside. He informed me that he was sent from the United States transport-steamship *Cambria* (then off the bar) for a pilot, and that they had no idea of the occupation of the city by us.

"I forthwith ordered a pilot boat, under command of Captain Johnson, to bring in this ship; but, through a most extraordinary combination of circumstances, the vessel (which contained E. J. Davis and many other apostate Texans, besides several hundred troops and 2500 saddles for the use of native sympathizers) succeeded in making her escape.

"The man Smith, who had, it is said, several times set fire to the city of Galveston before he deserted, had been known as 'Nicaragua Smith,' and was dreaded by every one. He returned to Galveston to act as Federal provost marshal. His arrival produced much excitement. . . . Smith, the deserter, was tried regularly the next day before a general court martial, and, being convicted of deserting to the enemy, was publicly shot in Galveston, in accordance with his sentence. . . .

"The pilot boat went out under the command of a gallant sailor, Captain Payne, of Galveston. The enemy's ship proved to be a splendid iron steamer, built on the Clyde. I had ascertained from her men taken ashore that she had only two guns, and they were packed on deck under a large quantity of hay, and I anticipated an easy conquest and one of great political importance, as this ship contained almost all the Texans out of the State who had proved recreant to their duty to the Confederacy and to Texas. The pilot boat was allowed to get close to the ship, when the boat was hailed and the pilot ordered to come on board. He hesitated, but was compelled finally to go aboard, and the ship then steamed away with him, leaving the pilot boat and crew unmolested. An effort was made to repair the disabled Harriet Lane in time to effect the capture of the Cambria; but it failed for the want of proper workmen. The Cambria met the United States war vessel Brooklyn the next day and disclosed the situation at Galveston."

Gen. N. P. Banks says in his official report, after giving a brief account of the Federal disaster at Galveston:

"I desire to call your attention now to the position of General Hamilton, not for the purpose of troubling you with the responsibilities connected therewith, which I am willing to assume myself, but to protect my administration from infamous calumniation propagated by men on his staff. My intercourse with the General has been pleasant. He is not a bad man, but lacks decision and force of character. I have treated him with profound respect, up to the line of my duty. I did not, however, proclaim to him, nor to those associated with him, my destination. They ascertained that for the first time when we were in New Orleans. On our passage I was unable to attend to business, and passed

with him only such courtesies as I was able to offer my own officers and to my friends on board. Upon our arrival here, I immediately gave him a full statement of my orders and of my proposed action. He was entirely satisfied; indeed, no gentleman could have been dissatisfied, so full, frank, and truthful was my statement of my plans and my orders. His impatience, and the violence of those about him, led me sooner to send a detachment of troops to Galveston than I should otherwise have done, and is immediately the cause of the small loss the army has sustained there. This was, however, upon consultation with Admiral Farragut and General Butler, and the fullest confidence that our troops would be safe under the protection of the fleet.

“General Hamilton is surrounded by men who are here for the basest mercenary purposes. Disappointed in their objects, they have been unsparing in their denunciations of the government, and especially of myself. They came on board the government transport *Illinois* without my knowledge and against my orders, and, as General Hamilton has said to me, have influence over him in consequence of pecuniary advances made to him while in the North. I desire it to be understood by the government that any representations made by them to the government or the people will be, at least, only a partial statement of the truth, if they be not entirely false. The strongest government in the world would break down under such a system of plunder as they desire to organize. If the whole State were for the Union, it would turn against the government if the purposes of such men were tolerated.

“I know the difficulties of my situation, which are very numerous and very great, and intend to do my duty faithfully while here,—a duty from which I would, in the failing condition of my health, most gladly be relieved; but I can not suffer the indecency, falsehood, and corruption of these men to go without check. You need not be surprised, therefore, if they are ordered to leave the department.

“The military gentlemen accompanying General Hamilton, sent to him by Governor Andrew, are reputable men. They were greatly disappointed when they learned the destination of my expedition, and were severe, if not greatly unjust, in their cen-

asures upon all concerned. My belief is that their opinion concerning Texan affairs is essentially changed since the recent disaster."⁶⁹

In reply, under date of January 18, 1862, Gen. H. W. Halleck informed Banks that the Secretary of War had ordered General Hamilton's commission as Governor of Texas revoked.

Four days after the battle of Galveston, General Magruder issued the following proclamation:

"HD'Q'RS. DIST. OF TEXAS, NEW MEXICO, AND ARIZONA,
GALVESTON, TEXAS, Jan. 5, 1863.

"Whereas, the undersigned has succeeded in capturing and destroying a portion of the enemy's fleet, and in driving the remainder out of Galveston harbor and beyond the neighboring waters, and thus raising the blockade virtually;

He, therefore, proclaims to all concerned that the harbor of Galveston is open for trade to all friendly nations, and their merchants are invited to resume their usual intercourse with this port.

"Done at Galveston, this the fifth day of January, eighteen hundred and sixty-three.

"J. BANKHEAD MAGRUDER,
"Major-General Commanding."

Which brought forth the following:

"U. S. STEAM SLOOP BROOKLYN,
"OFF GALVESTON; Jan. 20, 1863.

"Whereas, a proclamation dated Galveston, Texas, January 4, 1863, and signed by J. Bankhead Magruder, major-general commanding, declares the said port of Galveston to be open for trade with all friendly nations, and invites their merchants to resume their usual commercial intercourse with the said port of Galveston; therefore, the undersigned hereby warns all concerned that

⁶⁹ Banks in a general report, April 6, 1865, says: "I regarded the loss of Galveston, in its consequences, though not in the incidents immediately attending its capture, as the most unfortunate affair that occurred in the department during my command. Galveston, as a military position, was second in importance only to New Orleans or Mobile."

the port of Galveston, and also Sabine Pass, as well as the coast of Texas, are under an actual blockade by a sufficient force of United States vessels; and any merchant vessel appearing off the aforesaid ports, or attempting to pass out from the said ports, under any pretext whatever, will be captured, notwithstanding the aforesaid proclamation, and sent into an open port of the United States for adjudication.

H. H. BELL,

"Comm., Com'd'g. U. S. Forces off Galveston and Coast of Texas."

On the entry of his forces the morning of the battle, Magruder offered the use of his ambulances to the Ursuline nuns in order that they might remove to a place of safety. "But," says the General, "the noble women of the convent . . . expressed a preference to remain and nurse the wounded, offering their building as a hospital. . . . The wounded of the enemy were conducted to the same hospital, and the same attentions were bestowed on them as if they had been our own men. Captain Wainwright and Lieutenant Lea, of the Federal navy, were buried with masonic and military honors in the same grave in Galveston cemetery, Major Lea, of the Confederate army, father of Lieutenant Lea, performing the funeral services."⁷⁰

While Magruder was strengthening his coast defenses against the probable return of the Yankees, congratulations on his great victory poured in upon him from almost every quarter. Doubtless, the most valued of these testimonials were those from the hero of San Jacinto and from President Davis. General Houston wrote to him from Huntsville, January 7, 1863:

"It gives me great pleasure to mingle my congratulations with the many thousands that you have received. You, sir, have introduced a new era in Texas by driving from our soil a ruthless

⁷⁰ President Davis, in his "Rise and Fall of the Confederate Government" (volume 1, page 233), says of the distinguished Federal dead: "The conduct of Commander Renshaw towards the inhabitants of Galveston had been marked by moderation and propriety, and the closing act of his life was one of manly courage and fidelity to the flag he bore. . . . Captain Wainwright and Lieutenant Lea, who fell valiantly defending their ship, were buried in the cemetery with the honors of war. Thus was evinced that instinctive respect which true warriors always feel for their peers."

enemy. You deserve, sir, not only my thanks, but the thanks of every Texan. Your advent was scarcely known in Texas, when we were awakened from our reverie to the realities of your splendid victory. Its planning and execution reflect additional credit on your former fame, as well as upon the arms of Texas.

"Most sincerely do we trust that a new era has now dawned upon us, and that you may be enabled again to restore to Texas her wonted security. We hope that Texas, with so gallant a leader as you are, General, will yet show to the world that she is capable of defending her own soil, notwithstanding she has been drained of her only resources, which had been transferred to other battlefields. You will find that all Texans want is a general who is capable of leading them to victory; and now, having obtained that, I hope you will ever find them ready to second your efforts, and that your future may be as glorious as your past.

"When you arrived here, General, you found our country without an organization, without plans for our defense, and our situation most deplorable. What few resources we had were without organization, without discipline, and without anything that was calculated to render what we had efficient. You have breathed new life into everything; you have illustrated to them what they can do, and most sincerely do I trust that the past may only be the dawning of the future, and I pray that under the guidance of a Divine Being you may be enabled to carry out the regeneration of Texas. It would give me pleasure, General, to call and pay my respects to you, were it not that I have but recently arisen from a sick-bed."

President Davis wrote to him, January 28, 1863, from Richmond:

"I am much gratified at the receipt of your letter of January 6th, conveying to me the details of your brilliant exploit in the capture of Galveston and the vessels in the harbor. The boldness of the conception and the daring and skill of the execution were crowned by results substantial as well as splendid. Your success has been a heavy blow to the enemy's hopes, and I trust will be vigorously and effectively followed up. It is to be hoped that your prudence and tact will be as successful in allaying domestic discontents as your military ability in retrieving our position on the Texas coast.

"Your suggestions⁷¹ will receive the favorable consideration due to you.

"The congratulations I tender to you and your brave army are felt by the whole country. I trust your achievement is but the precursor of a series of successes which may redound to the glory and honor of yourself and our country."

I wrote to General Magruder from Austin, January 6th:

"Permit me to congratulate you and the brave officers and men under your command upon the brilliant achievement with which you inaugurate the new year. I think I am not vain in characterizing it as the most dashing affair of the war. You have fixed yourself permanently in the hearts of the Texans. This war has demonstrated that our soldiers are not disposed to calculate the odds against them; but this affair satisfies me that, worthily led, they will walk over every obstacle. The troops under your command have proved themselves the worthy comrades of the noble Texas brigade in Virginia."

Among the spoils captured at Galveston were 600 barrels of Irish potatoes, which I requested the general to reserve as seed, to be distributed among the people for planting; but I heard nothing more of the potatoes. They were doubtless appropriated as rations for the troops.

General Magruder wrote to me, under date of February 11, 1863, acknowledging receipt of my letter, saying, among other things:

"It gives me pleasure to be able to announce to you, as I now do, that the coast of Texas is occupied, and free for the occupation of our troops, from the Sabine to the Rio Grande; that the enemy has no longer a foothold on the soil of Texas, and that his blockading squadrons are his best ships, which keep at a respectful distance from our shores; that the Rio Grande, the frontier so vital to us, is strongly held by men and guns, and that I now entertain great hopes that I shall be able to fortify it so as to render it very difficult, if not impossible, for the enemy to take it from us.

⁷¹ These suggestions were submitted to the President in a letter dated January 6, 1863, and outlined a plan for the defense of the Texas coast.

"I hope ere long to have a fleet of war vessels on that river, which will insure great security in that direction.

"To the heroic Captain Leon Smith, skillfully and bravely supported by Captains Lubbock and Sangster of the Bayou City and Neptune, and to the gallant Texans under their devoted leaders, Colonels Green and Bagby, and Captains Weir, Martin, Snyder, and Harby, we are indebted for the glorious initiative of this campaign."

He then gave information of a better state of feeling in previously disaffected counties (Austin, Fayette, and others), and of his having sent the militia to their homes.

This reference to disaffected counties requires a word of explanation. The counties alluded to were principally populated by Germans. Many of these had either left the land of their birth to escape political persecution or were the descendants of men who had participated in the struggle for German freedom in 1848, and (that noble effort failing) sought an asylum in the mighty bosom of Texas. All such heartily sympathized with the South in the defensive war she was waging, and not a few enlisted in the Confederate army and did valiant service in the field. But there was another very large class, tainted with Union proclivities, and it was thought that had Banks succeeded in invading Texas they would have risen in arms and aided him.

The blockading fleet under Commodore H. H. Bell resumed its station off Galveston in about a week after the battle there. The Yankees, out of humor about their defeat, were disposed to get even with the Texans in any way possible. So on the afternoon of January 10th their vessels moved up closer to the island, the Brooklyn (the flagship) opposite Fort Point; the gunboat Sciota one mile west, and the gunboat Uncas one mile west from the Sciota. Without a moment's notice to remove the women and children, these vessels opened simultaneous fire, the Brooklyn and Sciota on Fort Point and the Uncas on the south battery and the city, into which thirty-six shots were fired. Colonel Cook hurried one of the Nichols guns to the south battery, fired four shots with telling effect, and compelled the enemy to draw off. Although thus compelled to beat an inglorious retreat, the enemy were doubtless well pleased with their success in driving the women and children out of town. Many buildings were struck, but without serious damage, and there were many narrow

escapes, but no lives were lost. Hundreds of noncombatants, including women and children, spent the night on the prairie without food or shelter of any kind.

The next night (Sunday the 11th), the Yankees were, by way of amusement, throwing an occasional shell into the helpless city when the avenger, Captain Semmes, with the *Alabama*, hove in sight. He was at this time cruising on our coast on the lookout for the transports of the Banks expedition to Texas. Not knowing of our recapture of Galveston and the frustration thereby of that expedition, he came suddenly upon five Federal war vessels near the island. At this moment he saw a shell from one of the Federal steamers burst over the city, and at once realized that Galveston was again in the hands of the Confederates. The *Alabama* began to back off, and was closely followed by one of the blockading vessels.

Admiral Semmes says, in his "Service Afloat": "At length, when I judged that I had drawn the stranger out about twenty miles from his fleet, I furled my sails, beat to quarters, prepared my ship for action, and wheeled to meet him. The two ships now approached each other very rapidly. As we came within speaking distance, we simultaneously stopped our engines, the ships being about one hundred yards apart. The enemy was the first to hail. 'What ship is that?' cried he. 'This is her Britannic majesty's steamer *Petrel*,' we replied. We now hailed in turn, and demanded to know who he was. . . . We heard the words, 'This is the United States ship ——.' . . . But we had heard enough. All we wanted to know was that the stranger was a United States ship, and therefore our enemy. . . . Presently the stranger hailed again, and said, 'If you please, I will send a boat on board of you.' . . . We replied, 'Certainly, we shall be happy to receive your boat.' While the Yankees were lowering their boat, Captain Semmes ordered his first lieutenant to tell the enemy who they were. Lieutenant Kell now sang out in his powerful clarion voice, through his trumpet: 'This is the Confederate States steamer *Alabama*,' and turning to the crew, who were all standing at their guns (the gunners with their sights on the enemy and lockstrings in hand), gave the order, 'Fire!' Away went the broadside in an instant, our little ship feeling perceptibly the recoil of her guns. . . .

"As a matter of course our guns awakened the echoes of the coast far and near, announcing very distinctly to the Federal admiral,—Bell, a Southern man who had gone over to the enemy,—that the ship which he had sent out to chase the strange sail had a fight on her hands. He immediately, we afterwards learned, got under way, with the Brooklyn (his flagship) and two others of his steamers, and came out to the rescue.

"Our broadside was returned instantly, the enemy, like ourselves, having been on his guard, with his men standing at their guns. The two ships, when the action commenced, had swerved in such a way that they were now heading in the same direction—the Alabama fighting her starboard broadside and her antagonist her port broadside. Each ship, as she delivered her broadside, put herself under steam, and the action became a running fight, in parallel lines, or nearly so, the ships now nearing and now separating a little from each other.

"My men handled their pieces with great spirit and commendable coolness, and the action was sharp and exciting while it lasted, which, however, was not very long, for in just thirteen minutes after firing the first gun the enemy hoisted a light and fired an off-gun as a signal that he had been beaten. We at once withheld our fire, and such a cheer went up from the brazen throats of my fellows as must have astonished even a Texan if he had heard it. We now steamed up quite close to the beaten steamer and asked her captain formally if he had surrendered. He replied that he had. I then inquired if he was in want of assistance, to which he responded promptly that he was; that his ship was sinking rapidly, and that he needed all our boats. There appeared to be much confusion on board the enemy's ship; officers and crew seemed to be apprehensive that we would permit them to drown, and several voices cried aloud to us for assistance at the same time."

The beaten ship turned out to be the Hatteras, commanded by Captain Blake, who, in referring to the conduct of Captain Semmes, says: "After considerable delay, caused by the report that a steamer was seen coming from Galveston, the Alabama sent us assistance, and I have the pleasure of informing the department that every living being was conveyed safely from the Hatteras to the Alabama."

The Hatteras was of 100 tons burden, and a larger vessel than the Alabama, but each carried the same armament—eight guns. The crew of the Hatteras was 108 strong; that of the Alabama 110.

The Yankees reported two killed and five wounded. The Confederates had only one man wounded. Captain Semmes' humanity on this occasion contrasts strongly with Captain Winslow's barbarity toward the Alabama's drowning crew in the English Channel in June, 1864, a year and five months later.

"As soon as the action was over," continues Captain Semmes in his account of the defeat of the Hatteras, "and I had seen the Hatteras sink, I caused all lights to be extinguished on board my ship, and shaped my course again for the passage of Yucatan. In the meantime the enemy's boat which had been lowered for the purpose of boarding me, pulled in vigorously for the shore as soon as it saw the action commence, and landed safely; and Admiral Bell with his three steamers passed on either side of the scene of action,—the steamers having scattered in the pursuit to cover as much space as possible. . . . As one of the steamers was returning to her anchorage off Galveston the next morning in the dejected mood of a baffled scout, she fell in with the sunken Hatteras, whose royal masts were just above the water. . . . It told the only tale of the sunken ship which her consort had to take back to the admiral. The missing boat turned up soon afterwards and the mystery was then solved."

It had now become apparent that the Texas coast had no laurels for the Yankee naval commanders.

Commodore Bell, off Galveston, on January 21st, issued a proclamation which recited that whereas the city of Galveston was held and occupied by Confederate troops who were erecting defenses in and around said city, in defiance of the laws of the United States, foreign consuls, foreign subjects, and all other persons concerned, were warned that the city and its defenses were liable to be attacked at any time by the forces under his command, and that twenty-four hours were given, from 5 p. m. that day, for innocent and helpless persons to withdraw. This caused considerable excitement, and was followed by a stampede of non-combatants.

The spirits of the troops, however, were high, and they were

eager for fight. One of the men wrote home: "Our batteries are enlarged, improved, and greatly secured; our fleet-boats lie dreamily upon the tide, but ready at any moment to growl forth an angry defiance; our soldiers, confident in the skill, judgment, and courage of our commanding general and the officers under him, regard the enemy outside the bar with a speculative eye, calculating the number of good coats aboard, variety of grub, and the time of division."

On the 29th the Brooklyn, with the gunboats Owasco, Katahdin, Sciota, and Itasca, attacked our batteries. The Brooklyn opened fire with three well directed shots at Fort Scurry (situated at the foot of Market Street), which was returned by a ten-inch Columbiad, one shot passing close to one of the gunboats. The fight lasted an hour, the Federals firing forty-four shots, aimed chiefly at our defenses. A few, however (whether intentionally or from the motion of the vessel is not known), were so directed that they struck in the city, causing some damage. Beyond the killing of one of our horses, there were no casualties on our side; and, as far as known, none on that of the enemy.

In a few days Colonel Cook, under a flag of truce, visited the Brooklyn and was courteously received by Commodore Bell, who, on being informed that the hospitals (containing Confederate and Federal wounded) were in range of the guns of the fleet, and that many women and children were in the city, apologized, saying that the shells were not intentionally fired into Galveston, but had been aimed by the gunners at the Harriet Lane in the harbor and the shore batteries.

Commodore Bell was also informed that, in the opinion of the foreign consuls the blockade, having been successfully broken, could not be re-established till they had communicated with their respective governments. To this last communication the commodore made no reply, but the shelling ceased.

The Yankees being now on the defensive, General Magruder wished to break the blockade off Sabine Pass, and for this purpose ordered Maj. O. M. Watkins (one of his efficient staff officers) to collect and assemble in Sabine River, and arm and man, whatever boats he could procure. Only two little steamboats were to be had. These were the Josiah Bell, once a packet on the

Brazos, and the *Uncle Ben*, a very light-draft boat that in good stages ascended the Sabine as far as Smith County for cotton.

These little stern-wheelers, when piled up with cotton, took on board their armaments and complements of men. The larger vessel, the *Josiah Bell*, under Capt. Charles Fowler, carried a thirty-two-pounder and about 200 soldiers, principally from Sibley's veteran brigade; while the *Uncle Ben*, under Captain Johnson, carried two eighteen-pounders and about 100 soldiers from Spaight's battalion.

All preparations having been completed, the improvised Confederate flotilla, the flagship *Bell* leading the way, steamed down the river to the Pass during the forenoon of January 20, 1863. Keeping quiet during the night, the expedition got under way early next morning, heading for the bar. Major, or Commodore Watkins, as he may be properly called now, discovered a Federal ship and schooner in the offing, several miles away, and boldly bore down on them.

The Yankees, declining combat with such novel craft, turned sail in flight. An exciting chase at once ensued, and continued far out into the open sea. "When within five or six miles, at about 8 a. m.," says Zack Sabel, "the *Bell* opened fire with a thirty-two-pound rifle-gun, called the *Magruder*. Our shot fell short and we ceased firing. A few minutes later the enemy's ship, the *Morning Light*, opened fire on the *Bell* with round shot, shell, and grape, but all fell short. At the same time, the *Bell* stopped for the *Uncle Ben* to come up; when both boats moved on to the attack. At this time the Yankee shot and shell were flying thick around the *Bell*. Next, the Yankee commander, finding our two boats were closing on him, changed his position and paid his compliments to *Uncle Ben* in a discharge of guns at her. All the while Lieut. R. W. Dowling (since famous for his defense of Fort Griffin), of the First Texas artillery, Cook's regiment, was doing good work with the *Magruder*, and meantime the 'horse marines' (Sibley's brigade) were pouring volley after volley into the helpless crew of the ship. The schooner now dodged, coming from the lee of the ship, and fired one shot at the *Bell*, which did not take effect. A little after 9 the Yankee ship struck her colors to the *Bell*, and simultaneously the schooner (*Velocity* or *Fairy*) struck hers to the *Uncle Ben*. I can not

say all that might be said in regard to the boarding. I received the swords of the Yankee captain and first lieutenant.

"Capt. Chas. Fowler, of the *Bell*, behaved with great coolness, as all who know him will readily believe, and gave his orders to his men to take good aim and waste no ammunition. The captain of the *Uncle Ben* (Captain Johnson) also deserves much credit for his cool intrepidity. Captain Odium stood firmly at his post, directing the *Magruder* in its work of destruction.

"I took charge of the ship, by direction of Captain Fowler. After the sails were furled and the ship was in tow of the *Bell*, and the schooner of the *Uncle Ben*, I made examination of the ship's condition. I found one leak, but her hull had been hit by a thirty-two-pound shell, which struck at the second porthole, on the port side, and exploded, killing one man and wounding five others. We have now brought the prizes all safe to the bar, and are ready for another fight.

"P. S.—The names of the vessels captured are the *Morning Light* and the *Velocity*, the former 1500 tons and the latter 75 or 80 tons. The ship is armed with eight thirty-two-pound smooth-bore guns. The schooner is armed with two twelve-pound brass howitzers. The schooner will make a good gunboat, but the ship is of too heavy draft for our use."

In his official report of this engagement (dated January 24, 1863) General *Magruder* says:

"I have the honor to report that *Sabine Pass* has been cleared of the enemy, two gunboats which I fitted up on the *Sabine* having captured the enemy's blockading squadron, consisting of a twelve-gun ship-of-war and a schooner man-of-war of two guns, commanded by officers of the United States navy. Our boats pursued the enemy thirty miles at sea, during which time a running fight was kept up. Finally getting them under fire of our *Enfield* rifles, they surrendered and never turned back to the *Pass*.

"The expedition was under command of Maj. O. M. Watkins, of my staff, and was fitted out under my orders principally by the gallant *Leon Smith*, now in command of the *Harriet Lane* and the rest of the war vessels in *Galveston harbor*.

"Major Watkins reports that he captured thirteen heavy guns, 129 prisoners, and \$100,000 worth of stores.

"The commander of the Federal squadron reports that the severe naval engagement seen from Galveston Island a few nights ago was between the '290' and the United States war steamer Hatteras, and that the latter was sunk. Many fragments of the steamer floated ashore on Galveston Island.

"Our steamers in the late engagement were commanded by Captains Fowler and Johnson, sea captains of Texas, and manned principally by volunteers from Pyron's regiment of cavalry, Cook's regiment of artillery, and Spaight's battalion of infantry."

The General further said: "The perseverance, industry, and firmness of the commanding officer, Maj. Oscar M. Watkins, of the Provisional Army, were only equaled by his intrepidity, admirable coolness, and skill in battle. Entirely unaccustomed to the sea, his devotion overcame all obstacles. He was ably and heroically seconded by Captains Fowler and Johnson, respective commanders of the steamers Bell and Uncle Ben; by Captains Odlum, O'Bryan, Nolan, and Aycock, and Lieutenants Dowling and Aikens, of the land forces, and by the engineers, pilots, troops and crews of the expedition. . . . Our mortal foe is again gathering strength for another and still another blow; but the commanding general of the army of Texas is confident that his troops will return their blows and will astonish still more their enemies and the world by such evidences of skill and audacity as shall make 'Texan' a better word than 'Spartan.'"

In concluding his report General Magruder recommended that Major Watkins be made lieutenant-colonel in the assistant adjutant-general's department, with orders to report to him, and that Maj. A. M. Lea, well known to the President as a graduate of West Point of great merit, be made colonel.

Major Lea was then under orders to take command of a corps of engineers on the Rio Grande, on which river the General was endeavoring to fit out a fleet of four gunboats.

A month of incessant preparation by Magruder, and now behold the results of another month of active fighting:

The destruction or expulsion of the enemy's land and naval forces at Galveston and the permanent occupation of the island and the eastern coast by the Texans.

Three successive repulses of Yankee naval attacks on a city before pronounced untenable.

The utter destruction of the blockading fleet off Sabine Pass by our river cotton-clads thirty miles from land.

The raising of the blockade on the Texas coast from the Brazos eastward.

The enthusiasm of our troops raised to the highest pitch, and a feeling of confidence and hope restored to the people, much depressed by the do-nothing policy of his predecessor.

The moral effects were not the least important of the results of the campaign.

While perfecting, under his own direction, an elaborate system of fortifications in Galveston Bay, the General had also under serious contemplation the practicability of guarding the southwest frontier of the Confederacy with a fleet of cotton-clad gunboats on the Rio Grande.

The Texans were now on the aggressive; there was little repose for our wearied troops, and none for Magruder's indefatigable mind, ever on the alert to strike the assailable points of the enemy.

To what cause or causes shall the accomplishment of these splendid results in so short a time be justly assigned?

Not to any change in the attitude of the executive, for at all times and on all occasions I co-operated to the fullest extent of my power, no less with Hebert than with Magruder. Only I could never find Hebert ready. Not to any difference in the men, for they were all of the same mold as those who carried Ben Milam into Bexar and Houston into Santa Anna's camp.

In my mind the cause was a difference in the military commanders,—the difference between a theorist and a proficient in the art of war.

The Texans had at last found a leader worthy of their confidence.

It is not hazarding much to say that this month's campaign (January, 1863) is the most brilliant in the annals of Texas.

CHAPTER TWENTY-FIVE.

Extra Session of the Legislature—My Message in Part—Lincoln's Emancipation Proclamation and the Negro Question—The Texas Quota to the War—The Frontier Regiment—Yankee Prisoners—The Support of Families of Texas Soldiers—Domestic Manufactories—Barbarities of the Enemy in Louisiana and President Davis' Policy of Retaliation—Frontier Defense.

Our newspapers agitated the subject of an extra session of the Legislature on account of the slow response to my last call for troops, and to meet, by retaliatory legislation, the probable consequences of Lincoln's preliminary emancipation proclamation issued in September, 1862.

Convinced of its necessity, I issued a call December 30, 1862, for an extra session of the Legislature, to convene on the second day of February, 1863, assigning no other reason than that, "in my opinion, the condition of public affairs, both State and Confederate, rendered it necessary."

Before the Legislature met Lincoln issued his proclamation declaring all slaves within the Confederate lines free, and inciting them to servile insurrection by advising them to commit no more violence than was necessary to assert and secure their freedom.

It became at once a matter of some concern to us to know what effect the proclamation would have upon the negroes, as it could not be kept concealed from them, and also to know what policy the Yankee armies would pursue in aid of the proclamation.

The need for prompt and effective legislation was pressing. The members came in slowly, and organization was not perfected until the 5th.

The personnel of the Legislature had undergone great changes, so many of the original members having gone to the war. The circumstances were also vastly different.

The regular session adjourned with the hope of an early recognition of our independence, and consequent peace: but a death grapple with the enemy for twelve months had followed, and the struggle was still in progress and its issue doubtful.

Nashville, Memphis, and New Orleans had been occupied, the border States overrun, and virtual control of the Mississippi secured by the enemy. Only the fortresses of Vicksburg and Port Hudson on the great river were left to us. Our many brilliant victories, dearly bought with the blood of our bravest and best, had only checked, without turning back, the overwhelming advance of the Yankees.

While the great body of our people in Texas, with the pluck characteristic of the stock, were still undaunted and had nerved themselves for any sacrifice for the cause of independence, there were unmistakable signs of a latent dissatisfaction at the existing state of things, if not a positive disloyalty to the Confederacy. Our late reverses in the north and east had given these traitors an audacity not entirely repressed by the late glorious campaign on the coast.

The Legislature having assembled in extra session, I sent into the two houses a carefully prepared message,⁷² the following extracts from and summarizations of which will, perhaps, prove interesting to the reader, as they will give him a good idea of the condition of the country at that time:

I said in the opening paragraph: "It being my duty to convene the Legislature in extraordinary session when deemed essential for the public good, I have called you together at this momentous crisis to receive your aid and co-operation in the adoption of such additional measures as may be esteemed of vital importance to the country." And continued:

⁷² The *Texas Republican* of February 19, 1863, said editorially: "We have read with great pleasure the message of Governor Lubbock to the Legislature now in session at Austin, and have only to regret that our space will not permit its publication entire in our columns. While we may not agree with all its suggestions and recommendations, there are so many that are valuable, it contains such evidence of profound reflection upon the condition of the country and the difficulties that environ us, it breathes such a pure and lofty spirit of patriotism, that we feel involuntarily drawn by the strongest bonds of sympathy towards its author, and we can not but regret that we ever had occasion, or thought we had occasion, to censure him.

"As a State paper it will be regarded, in our judgment, as among the very best that have been produced during the war. We have seen no message emanating from any Governor in the Confederacy that excels it, or is entitled to a higher meed of praise."—ED.

"Since your adjournment the war has been prosecuted by our vindictive and remorseless enemy with all the means and energy at his command.

"Failing in the clash of arms and shock of battle to conquer and subdue our people, no expedient, however miserable, contemptible, and despicable, has been left untried by him to induce the citizens of the Confederate States to throw off their allegiance to the government of their choice, and espouse a cause they detest and abhor. Whenever the fortune of war has placed any portion of the Confederacy in his power, after exhausting every means of persuasion, without success, to bring the people 'back to their allegiance,' he has resorted to the most unjust, oppressive, and cruel measures,—confiscation, imprisonment, and even the taking of life itself. Yet under all these trials our citizens, with a few dishonorable exceptions, have remained true and loyal to the Confederacy. . . .

"From the very commencement of this war there has been a studied purpose on the part of Mr. Lincoln's government to Africanize the Southern Confederacy, which fact is now most plainly developed in his proclamation of the 22d of September, 1862, in which he declares that 'all slaves shall be free in the States, or parts of States, found in rebellion after the 1st of January, 1863,' and which proclamation has been approved and sustained by the United States Congress, now in session, by the following resolution: 'Resolved, that the proclamation of the President, dated September 22, 1862, is warranted by the Constitution; that the policy of emancipation, as indicated therein, is well adapted to hasten the restoration of peace, is well chosen as a war measure, and is an exercise of power with a proper regard to the rights of citizens and the perpetuity of a free government.'"

I took occasion also to commend the action of President Davis in outlawing "Beast" Butler.⁷³

⁷³ Of Butler President Davis truthfully said: "He has disgraced the government, for his government is great enough to be just; he has disgraced his country, for his name bars the scorn of foreign enemies and justifies the severity of foreign friends; he has dishonored the chief magistrate by prescribing him to ministers of the gospel as the subject of their compulsory prayers; he has disgraced his sex, for not even

"I trust your honorable body will fully endorse the action of the President and sustain the Confederate Congress in every measure of retaliation that may be adopted against our foes, who are, in effect, fighting us under the blackest and most damnable of flags,— a flag upon whose folds is inscribed his intention and desire to incite to servile war.

"Our Confederate laws have proved impotent to stay the progress of negro emancipation wherever the Lincoln soldiers have gone.

"While I recognize the right of the Confederate government to dispose of prisoners of war taken by its armies, and that it would be impolitic and inadvisable for the State to interfere therewith, I yet think that where parties are taken upon our soil committing murder and arson and inciting to rebellion our servile population, the plea that they are soldiers of the United States government should not be allowed to save them from the same summary punishment as would be visited upon our own citizens, if convicted of the same nefarious crimes. . . .

"It is too true we have to mourn the loss of many, alas, too many, of our best and bravest.

"Let us, however, hope they have not died in vain,—that for every drop of blood so shed in the cause of freedom an armed man will spring up to do battle in this great struggle. Let us cherish the memories of these heroes, and ever bear in remembrance that it was for our country and for our liberties they yielded up all that was dear to them upon earth. When peace shall have been restored to our fair land, let their ashes repose in the bosom of the State they loved so well, and upon whose name their deeds have shed so imperishable luster.

"Let a hundred columns mark the spots where rest their ashes, the tribute of a grateful people proud of their deeds, and let them recount to our children's children the names of the patriots who yielded their lives a willing sacrifice upon the altars of Liberty.

. . . .

women have been exempt from his cruelty. *If it is possible*, he has disgraced himself, for the most subservient tool of Southern men and subservient lauder of Southern institutions has become their most bitter enemy, seeking a place for the heel of power where once he licked the spittle of servility."

"I beg leave to call your attention to the absolute necessity that exists of making further provision for the support of the families of those in the service. I am aware that counties have been very liberally providing for them thus far. It is, however, useless to disguise the fact that this burden upon them must daily increase with the continuance of the war; and should the contest be prolonged to the end of the year, it will be necessary that thousands more of our citizens take the field, thus increasing the number of families in every county to be provided for. In addition to what the counties may do, I am of opinion the State should make a most liberal appropriation for this purpose. The troops in the field are the soldiers not of a particular county, but of the entire State, and it would be but equitable that the State provide for their families. This plan would also seem just in another view. Many counties with the smallest population are the most wealthy; they furnish but few soldiers, consequently; while other small taxing counties have a large excess of men in the field, and therefore many more families to provide for; hence, it is but just they should be cared for out of the public treasury. I am wedded to no particular plan by the operation of which the relief sought is to be afforded, but I must earnestly advise that ample provision be made to ward off distress from the families of those who are nobly serving their country. That there will be destitution among them, unless such provision be made, there can be no doubt. . . ."

I recited at length what had been done in establishing hospital funds for the benefit of Texas soldiers in various parts of the Confederacy, and commended the ladies for their noble work in the matter.

Discussing another important subject, I said:

"It may be urged that such legislative action (I had recommended that farmers be required to plant a certain portion of their lands in breadstuffs, and the acreage of cotton be restricted to not exceeding three acres to the hand) would be an unwarrantable interference with a legitimate calling. I will, in reply, simply say that 'self-preservation is the first law of nature;' and the axiom may, I presume, with propriety be applied to communities and States as well as to individuals; and I am convinced that, unless some such course be adopted, there will be

famine in the land; the cry for bread will be raised; suffering will ensue, and the bold and brave hearts, gallantly fighting the fight of liberty, will be bound down and dispirited. Let me therefore urge upon your honorable body to give this matter your most serious attention, esteeming it, as I do, of supreme importance.

"In connection with the foregoing subject, it is with regret I call your attention to the very large number of distilleries now in operation and being put in operation within the State. The number that have sprung into operation since the commencement of the war might be deemed fabulous.

"On the 29th of May last I issued a proclamation ordering all such establishments to be closed, deeming it of superior importance to preserve the grain for the use of the army and people and save our soldiery from the pernicious effects resulting from the use of intoxicating liquors. I was at the same time convinced that in portions of the State the crop would fall very short—a conviction since fully verified. Upon the issuance of that proclamation, most of the parties having distilleries desisted from their use, although some, I am informed, persisted in distilling.

"I directed the brigadier-generals of the militia to enforce the proclamation. In one instance the brigadier and all others, including the executive, were enjoined from interfering with the distillery of the party who sued out the injunction; and, inasmuch as I had concluded, at the time service of the writ was made upon me, to convene your honorable body, and as there appeared to be some doubt as to my authority to suppress them, I determined to submit this matter for your consideration.

"It is well known that these establishments daily come into competition with the county courts and with individuals charged with the duty of providing for our poor and the families of our soldiers, and that in some sections of the State they have caused the price of corn to rise to double its value.

"The demoralizing effects of these distilleries, both upon our troops and people, are terrible, and I entreat you, in the name of the mothers, wives, and children of those brave and noble spirits now far from their homes, in the armies, and who look to you to guard and protect them, to suppress this outrageous consumption of grain and iniquitous traffic until peace is concluded.

"My conviction is, there is but one way to effect it. The executive must be invested with authority to close them by proclamation; and, if disregarded, he must be empowered to do so by means of a military force. The party who violates the proclamation should also be liable to prosecution, and subjected to a heavy fine and imprisonment—a fine alone would be insufficient; the enormous profit of the traffic would enable the party easily to satisfy the fine. Heavy penalties should also be imposed upon persons introducing into the State during the war intoxicating liquors, unless by special permit for medicinal purposes, for the use of the army hospitals."

I denounced extortioners and monopolists as our worst enemies, saying in that connection: "They croak and complain,—make their purchases with gold, abuse and depreciate the Confederate currency, so as to obtain immense profits,—reinvest, and so continue. . . . In the language of President Davis, 'They are men who can be reached by no moral influence, and are worse enemies of the Confederacy than if found among the invading forces. The armies in the field, as well as the families of the soldiers, and others of the people at home, are the prey of these mercenaries, and it is only through State action that their traffic can be suppressed. Their condign punishment is ardently desired by every patriot.' . . ."

In view of the increasing plethora of Confederate money in circulation, I recommended a higher rate of taxation, and also favored the funding system of the Confederacy, by which the government notes were withdrawn from circulation.

I recommended the passage of a law for the impressment of slave labor for government work, and a law to deny all aliens who refused to fight for us the right to hold real estate and become citizens of Texas.

I approved the conscript law, and pledged myself to aid in its enforcement.

I recommended that soldiers be allowed to vote wherever found in the army.

After recounting my efforts and failures to have the frontier regiment accepted by the Confederate government, I went on to say in my message:

"This regiment has performed good and efficient service. It

has given the settlers confidence. Many good men have joined the Confederate service and gone beyond the limits of the State, leaving their families and property, because they had confidence in that organization and believed the State was determined to protect its frontier. These counties with their sparse population have nobly responded to the call of their country. They should be sustained. Unless protection be afforded them the frontier must recede, for just as soon as you fail to keep up a system of defense in your outer counties, the Indians will press forward upon the interior, robbing and murdering.

“That it is the duty of the Confederate government to protect our frontier there is and can be no question; but it must be borne in mind that we are now engaged in a desperate war, and that the government has need of every man she can procure to operate against an enemy more barbarous than the Indian, hence the necessity of the State authorities to look to the safety of the people on her exposed borders. They must be protected at all hazards and at any cost. Treasure must not weigh against the blood of our women and children.

“The frontier regiment has entered the service for three years or during the war, looking to its transfer to the Confederate service. They are willing and expect to be transferred, should it be the pleasure of your honorable body. With the exercise of the most rigid economy the expense of keeping the regiment in the field up to this time has been about \$800,000. I beg leave to suggest the following plan for the protection of the frontier in addition to what the Confederate government may do: Let some twenty-five counties, on a line from the Red River to the Rio Grande, be selected: appoint in each of such counties a captain and twenty men (citizens of the same), who will be sworn in as soldiers for service on the border; pay to each of said captains \$750, and to each man \$500 per annum; these troops to furnish their own horses, arms, and subsistence; appoint one or two commissioners whose duty it shall be to travel along the line, receive reports as to the management of the companies, their efficiency, and the protection they afford, paying off the companies and exercising a general supervision over the line.

“This plan would give about 500 men, and would not cost the State exceeding \$300,000 per annum, about one-fourth what it

will cost at the present enormous prices of subsistence, etc., to keep a regiment like the present in the field, and would, I believe, give protection and satisfaction to the settlers.

"It would take but a short time to perfect this system of defense. We could then turn over the present regiment to the Confederate government without much risk, and, whenever that government should place upon the frontier a force adequate to its protection, we could disband any organization the State might have in service. . . ."⁷⁴

In referring further to the conduct of the war, I said: "Since that time [i. e., a date specified.—Ed.] Texas has placed in the field near seventy regiments of as good and true men as ever drew sword or shouldered rifle in defense of liberty against tyranny.

"From accurate data, Texas has furnished to the Confederate States military service thirty-three cavalry and ninety infantry regiments, thirty of which (twenty-one cavalry and nine infantry) have been organized since the requisition of February 3, 1862, for fifteen regiments, being the quota required from Texas to make her quota equal to the quotas from other States; besides thirteen battalions, two squadrons, and six detached companies of cavalry, and one legion of twelve companies of infantry, two batteries, one company unattached, one legion of two battalions, and one light battery and one regiment of artillery and eleven light batteries, making 62,000 men, which, with the State troops in actual service, namely, 6500 men, form an aggregate of 68,500 Texans in military service, constituting an excess of 4773 over the highest popular vote, which was 63,727.

"From the best information within reach of this department upon which to base an estimate of the men now remaining in the State between the ages of 16 and 60 years, it is thought that the number will not exceed 27,000." I approved the recommendation of the adjutant-general that these be enrolled for an emergency.

"To insure success, unity of purpose and action is absolutely necessary between the Confederate and State governments. Hence it follows that every act of any citizen or citizens calculated to weaken the influence of the government or its officers

⁷⁴ These practical suggestions of the Governor were not adopted, as the Legislature still hoped to transfer the frontier regiment to the Confederate States.—Ed.

with the people is, in my judgment (although it may be unwittingly), aid and comfort to the enemy. Therefore, since my elevation to the executive chair my great aim has been to aid and co-operate with the Confederate authorities in all things tending to a proper and vigorous prosecution of the war.

"I have had no desire to render myself conspicuous by disputing with the civil or military authorities of the Confederate government on immaterial points; but in every instance when there has been an apparent interference with the rights of the State, or an encroachment upon the functions of the executive, the attention of the proper officers has been drawn to it, and the cause of complaint has been promptly removed.

"In military matters there should be one sole head. Under the Constitution and laws I recognize President Davis as that head; and while he conducts his administration in conformity to the Constitution and laws, he should be sustained by the officers, both State and Confederate, and by the people. . . .

"The old year closed brightly for us; the new year opened most propitiously. Let us be hopeful, watchful, prayerful,—let each and every one of us determine to forget self, and by his precepts and example encourage every man in the broad land to devote himself, his means and ability, to the service of his country. Let us give to our government, the government of our choice and of our affections, an earnest support. Let us sustain and cherish that patriot warrior-statesman whom we unanimously elected to preside over our destinies and to guide our ship of state through the turbulent sea of revolution,—who, by his energy and devoted assiduity to the welfare of the country and interests of the people, deserves a nation's gratitude. Let us with heart and soul resolve to rally around those brave and gallant captains who daily lead our invincible armies to victory. Let us continue to fill up their ranks, upon their demand, should it take our last man and our last dollar, looking neither to foreign nations nor the hostile Democracy of the North for aid. Depending alone upon God, our strong arms, and brave hearts, victory will soon perch upon our banners and an honorable peace be conquered."⁷⁵

⁷⁵ The Henderson *Times* of May —, 1863, thus summarizes the work of Governor Lubbock's administration.—ED.

"Until after his election to his present office Governor Lubbock was

A whole book could be written upon the frontier of Texas and the brave men standing between our women and children and the tomahawks and scalping knives of the Indians, urged on by brutal emissaries to destroy civilization. These men remained on that line faithfully performing their duty, without the stimu-

by no means a favorite of ours, nor can we say that he is yet a great favorite; but that he should have a place in the heart of every true Texan and patriot we think is but his just desert. He took the helm of State at a period pregnant with dark forebodings. Texas was threatened with invasion from the north, west, and east. Aside from this, a large number of enemies to the Confederacy were scattered throughout the State who were ready at the moment opportunity offered to join the enemy and welcome him to our midst. In arms and munitions of war we were illy prepared to make successful resistance. To supply this deficiency Governor Lubbock went immediately to work. Shops for the manufacture of arms were established and put in operation in different parts of the State, and so far as small arms are concerned we are now in a condition to almost if not quite supply our own troops.

"The next great difficulty that presented itself was the lack of tents and clothing for the army on this side the Mississippi. New Orleans had fallen, and the enemy had so nearly obtained control of the river as to render it impracticable to obtain these supplies from the other side. Governor Lubbock saw the difficulty, and by the exercise of the greatest energy and perseverance succeeded in making great additions to the machinery in operation at the penitentiary in Huntsville. The demand was soon supplied. By the time this was accomplished, the families of those in the service were in many cases beginning to suffer for clothing. By renewed energy, means were provided to meet this emergency, and the cloth is now being delivered and will continue to be until the family of every soldier making application shall be supplied with their quota.

"Treasonable combinations and indications of insurrection were discovered in some parts of the State. How far the mischief extended was only a matter of conjecture. The only means of safety was for every county to be in a condition to speedily suppress any outbreak of this kind. To this end the Governor went to work and never ceased until every county applying was supplied with powder and lead.

"But if anything were lacking to entitle Governor Lubbock to the undying gratitude of his countrymen and countrywomen, his last act has supplied the deficiency. The Military Board, of which he is the head, announce to the needy families of soldiers that they have procured a vast number of cotton cards for distribution, and that the same are subject to the order of the county courts of every county in the State.

"It is not alone from the fact that through the energy and industry of our Governor so many pressing wants have been met, that he is en-

lus of military glory or the prospect of military promotion that was felt by those on the more renowned battlefields of the large armies.

The protection of the frontier, always a question of great solicitude, was peculiarly so during the war, recognizing as we did the danger of invasion by the Indian enemy, assisted by those determined to lay waste our country. The cry was continually coming from the settler of the danger to his wife and children. The Legislature was slow at times to make the necessary appropriations for defense. The Confederate government was unable to extend the necessary protection, and refused to take and support our magnificent frontier regiment with conditions looking to their remaining on our line of defense. These facts, together with lack of arms and ammunition in that part of the country, kept me anxious and active, knowing full well the importance of maintaining a barrier between the Indians and the settlements. When retiring from office, I could but congratulate the people and feel gratified to know that during my term so few depreda-

titled to eulogy, but that the articles have been furnished at so low a figure, frequently not amounting to one-tenth the amount at which speculators sell the same articles.

"In but one case has Governor Lubbock failed to meet the emergency and extend the necessary assistance; we allude to his failure to put a stop to the destruction of breadstuffs in the manufacture of spirituous liquors. But the fault was not with him, but owing to the fact that he was not properly seconded by the people. All that one man could do he did, and when all other means failed, as a last resort he called to his aid the Legislature, and failing to receive their assistance of course he could but yield the palm to those who felt a greater interest in the accumulation of fortunes for themselves than in the feeding of the wives and children of those who are in the military service of the country.

"It is true that Governor Lubbock has been greatly assisted in these various undertakings for the good of the country, and others are entitled to a share of the praise, but he has been the head and front, and the active mover in all of them.

"Such an officer is a boon to any State, and we can not but regret that he has determined not to be a candidate for re-election. Whether he continues in public or retires to private life, he has won for himself a name as a patriot and statesman that the malignity of his enemies will never be able to tarnish. We hope we may be able to say as much for his successor, whoever he may be."

tions were committed by the savages, and that no formidable raids were made.

To meet the requirements of the Confederate States army regulations, that each regiment should be composed of ten companies, I disbanded the frontier regiment, and on February 11, 1863, organized from the same material another regiment (composed of ten companies), called the Mounted Regiment of Texas State Troops, and mustered them into the service of the State for three years, or during the war. The regiment, as thus reorganized, was officered as follows:

Colonel, J. E. McCord; lieutenant-colonel, J. B. Barry; major, W. J. Alexander; A. Q. M., W. W. Reynolds; A. C. S., C. T. Freeman; A. Q. M. G., Ben Henricks; adjutant, A. H. See.

Captain Company A, J. M. Hunter; captain Company B, John Lawhorn.

First lieutenant company C, H. Ward; first lieutenant Company D, J. T. Rowland; first lieutenant Company E, M. B. Lloyd; first lieutenant Company F, H. T. Edgar; first lieutenant Company G, N. White; first lieutenant Company H, R. M. Whitesides; first lieutenant Company I, J. J. Callan; first lieutenant Company K, W. G. O'Brien.

In remustering the regiment for three years, or the war, expecting as I did to transfer it to the Confederate States, I waived the power of appointment vested in me by the law and gave to the men the election of their field officers. I conceived it would prove more satisfactory, and it was a right they would have had in reorganizing a new regiment for Confederate service. I am pleased to say that, in my judgment, they made a very good selection of officers.

An act was promptly passed defining the offense of inciting insurrection and prescribing the punishment therefor. The preamble of the act was as follows:

"Whereas, in the prosecution of the unholy war now being waged by the United States against the Confederate States and the people thereof, our enemies are seeking to bring upon us a servile war by arming our slaves and placing them in the ranks of their armies, as well as otherwise through the action of their government and the commissioned officers of their armies inciting insurrection and insubordination; therefore, be it enacted," etc.

The offense of inciting insurrection was defined to be, for any commissioned officer of the army, navy, or marine service of the United States, during the war, to invade or enter upon with hostile intent, the territory or waters of this State, for the purpose of accomplishing any of the objects denounced by the act. The act further provided that any person so offending should, on conviction, be punished by confinement in the penitentiary not less than five nor more than fifteen years; and that only such persons should be subject to be tried under its provisions as might be turned over by the Confederate authorities to the State, and that the persons so convicted should, at any time after conviction, be delivered on demand of the President to the Confederate authorities.

Yankee officers continued to be brought in as prisoners, but none of them were ever tried for inciting insurrection. Indeed, the law was a dead letter from the start. The evil effects resulting to us from the emancipation proclamation and the policy sought to be enforced by the United States government were nowhere so great as Mr. Lincoln and his advisers had anticipated; for, contrary to the general expectation in the North the negroes did not, on the approach of the Yankee armies, rise and massacre the whites indiscriminately, as had been done in Santo Domingo.

In my message I recommended the passage of an act to deprive of all rights of citizenship persons taking the oath of allegiance to the enemy, or who had left or might thereafter leave the country to avoid military service, or who should join the enemy, or in any way give them aid and comfort; and the measure was promptly enacted, to take effect from and after its passage. Under its provisions prosecutions for these offenses were not barred till five years after the ratification of a treaty of peace between the Confederate States and the United States. It is needless to state that no prosecutions were instituted under this statute. In our revolutionary struggle with Mexico we recognized the same offenses in our legislation, with somewhat similar penalties.

Banks' outrages in Louisiana and the authority he arrogated to himself there to dispose of the property of Confederate refugees and others, led to the passage of an act at this session of the Legislature declaring void any sale made by the public enemy

should the Federals at any time thereafter occupy any portion of the territory of the State of Texas. This was a warning to all purchasers at such sales, under the pretended authority of the United States government. Under the confiscation acts of the United States Congress, there was, presumably, to be wholesale spoliation of the people of the South and sale of their property, real, mixed, and personal, whenever opportunity offered. Such miscreants as Butler urged the Federal representatives on to the passage of such legislation and sought whenever they could to enforce it. All disguise having been thrown off, Federal commanders and soldiers now entered upon a career of rapine and robbery that has tarnished with a stain of ineffaceable dishonor the names and fame of all who prominently engaged in it.

The Texas enactment was intended to meet a possible contingency, and act as a counter-check.

In the same line of legislation an act was passed making evading, or assisting to evade, the conscript law a felony, punishable by confinement in the penitentiary for a term of years not exceeding five.

Perhaps the most important measure perfected at the session was "An act to provide for the support of the families of Texan soldiers." This was a favorite measure that I had strongly recommended in my message. The original bill, after a hard fight, went through, shorn of much strength by numerous amendments. Under its provisions \$600,000 were set aside for the needy families of our soldiers, to be distributed by the county courts. The sum should have been much larger. Further to provide for the needs of our people at home and our men in the field, an act was passed appropriating \$200,000 as a hospital fund for the sick and wounded Texan soldiers in the Confederate army; another to regulate the distribution of cloth manufactured at the State penitentiary among the families of soldiers in the Confederate army, and others to punish any person or persons who should obtain goods from the penitentiary under false pretenses, or speculate in goods obtained therefrom, and to enlarge the operations of the penitentiary, by authorizing the purchase of additional machinery and the employment of outside labor.

To get specie to pay interest on bonds held by creditors of the State, the Military Board was authorized to sell cotton in Mexico.

The Treasurer was authorized to pay out Confederate treasury notes for civil and military purposes.

The act to perfect the organization of State troops was so amended that, on call, the Governor might order into camps the whole militia force, preparatory to a draft for filling a requisition; the various drills previously prescribed were suspended during the war and exemptions were defined and enumerated anew.

All stay laws and statutes of limitation were definitely suspended by suitable enactment till after the war.

The ad valorem State tax was raised from 25 cents to 50 cents on the \$100. The additional burden was scarcely felt, owing to the plethora of Confederate and State paper money, made necessary by the increasing expenditures of the war.

As the war progressed, shutting off supplies from abroad, there arose a greater demand for factories. Among the companies chartered by this Legislature were:

The Comal Manufacturing Company, with John F. Torrey, Henry Runge, — Herman, A. H. Runge, and others, as stockholders. Its object was the manufacture of cotton and woolen goods and such other articles as said company might at any time choose to manufacture. Located at New Braunfels. Capital stock not to exceed \$500,000.

The Jackson Manufacturing Company, S. P. and B. P. Hollingsworth, of the State of Texas, and James Crow, of the State of Alabama, and others, incorporators; to erect, own, maintain, and operate a factory for the manufacture of cotton and woolen goods and other articles, separately or conjointly, at such place or places as the company might select. Capital stock not to exceed \$200,000.

The Texas Paper Manufacturing Company, David Richardson, Samuel Mather, and Dr. Theodore Koester, and others, incorporators; to erect and establish in the county of Comal machinery and establishments for the manufacture of paper, and operate the same. To be exempt from taxation for five years, if the plant was put in operation during the war. Capital stock, \$50,000.

The Texas Iron Company, J. S. Nash, Wm. Nash, James Alley, H. P. Perry, Josiah D. Perry, Jonathan Adams, R. R.

Haynes, and Thomas D. Powell, incorporators; to erect, own, maintain, and operate a manufactory of iron and steel goods of every description and all other articles of which iron or steel might form a part, at such place or places as the company might select within the counties of Marion and Davis [now Cass.—Ed.] Capital stock not to exceed \$1,000,000.

The Texas Lead and Copper Mine Company, Louis Wills, Josephus M. Steiner, Geo. W. White, and others, incorporators; for the location and working of lead and copper mines, the State relinquishing to said corporation all its right, title, and claim to all minerals that might be found on any patented or located lands that said company might select and purchase, not to exceed 1280 acres; provided work was begun by the company within a year from passage of the act.

About this time also was developed a rage for mutual aid societies, and quite a number were chartered by the Legislature. Among these were:

The San Antonio Mutual Aid Association, organized for the conduct of a general mercantile business.

The Columbus Mutual Aid Association, C. W. Tait, Stephen Harbert, E. P. Whitfield, Isom Took, A. M. Campbell, and others, incorporators; to conduct a general mercantile business, the charter requiring the incorporators to "sell to families of soldiers at cost."

The Caldwell County Mutual Aid Society, T. E. Heppenstall, O. O. Searcy, W. A. Clark, W. S. Carpenter, J. S. Proctor, W. R. Cowan, G. W. Shoof, and others, incorporators; to purchase and deal in any kind of provisions, family supplies, and merchandise, and, after supplying themselves, sell the remainder of said provisions, supplies, and merchandise; provided, that all goods disposed of to families of soldiers should be sold to them at cost, and to others at a profit not exceeding 25 per cent above cost, the object of the association being "mutual aid in procuring supplies for the needy and protection against speculators and extortioners."

The Washington County Mutual Aid Association, A. H. Rippetoe, John P. Key, J. D. Giddings, Gilbert Buchanan, N. Kavanaugh, John H. Dawson, and others, stockholders; to do a general mercantile business; with the usual provision that after

supplying themselves, they should sell to the families of soldiers at cost.

The Goliad Aid Association; empowering D. Hardeman, William Evans, A. H. Biscoe, J. Alison Dill, J. A. Robbins, John A. Clark, J. M. Brown, and Pryor Lea, or any three of them, as commissioners, to organize a joint stock association, to consist of the persons before named, or any of them, and their associates and successors; such joint stock association to procure and furnish necessities to its members, and to the families and other dependents of officers and soldiers, who have been or may be in the military service of either the Confederate or the State government, and for general market within the area of Goliad and neighboring counties, at prices not to exceed cost and 25 per cent profit. Capital stock, \$100,000.

Nor was education forgotten in this furore of incorporation, for at this session of the Ninth Legislature was chartered the Dallas Male and Female College, with J. M. Patterson, W. H. Thomas, M. T. Johnson, R. M. Gano, A. M. Moore, J. W. Throckmorton, P. Taylor, T. C. Hawpe, B. W. Stone, J. J. Good, S. B. Pryor, J. J. Eakin, A. C. Halleck, R. B. Scott, and John N. Bryan, and their successors in office, as a board of trustees, with succession for the term of fifty years; the college to be non-sectarian, admit male and female students, and give instruction in all branches of education usually taught in institutions of a similar character, and, in addition thereto, instruct such male pupils as might be able to perform military duty, and desire such knowledge, in the science of arms.

The following important joint resolutions were adopted at the session:

(1) A joint resolution providing for a pony express between the Mississippi and the Rio Grande, two trips to be made each week from Brownsville on the Rio Grande to some safe place on the Mississippi, each trip, if practicable, in five days; the express to carry letters only, the rate of postage to be fixed by the Postmaster-General of the Confederacy.

(2) "That the people of Texas, acknowledging with heartfelt gratitude the favor of God in the brilliant achievements of our Confederate armies, do hereby formally and sincerely tender to the officers and privates in the military service of the country,

from Texas, the thanks and praises they have so justly merited by their self-sacrificing devotion to their country and their many deeds of valor upon every battlefield of the Confederacy.

"In the name of a gallant State and a gallant people, we thank you. In the name of your mothers, your wives, and your sisters, we thank you for your gallant deeds.

"You have won for yourselves imperishable renown. You have won for your State the highest honors.

"Resolved, That while our brave troops are battling so gloriously for the dearest interests of our people, we recognize it as a sacred obligation to provide for their comfort, and to support and cherish their families at home.

"Resolved, That the faith of the State of Texas is hereby pledged to our soldiers in the field, that their families shall be nourished and supported during the war.

"Resolved, That the Governor be instructed to have a copy of this resolution transmitted to every Texas regiment now in the service, with the request that it be read out to every company."

(3) "Be it resolved by the Legislature of the State of Texas, That should the State of Texas, from any cause, withdraw from her association as a member of the Confederate States before the indebtedness of said Confederate States is fully paid, the faith of the State is hereby pledged to the payment of her pro rata portion of such remaining indebtedness, to whoever the same may be due.

"A certified copy of this resolution to be transmitted by the Governor to the President of the Confederate States, and to the Governor of each of said States."

(4) "Resolved by the Legislature of the State of Texas, That we heartily approve of the proclamation of the President of the Confederate States, to retaliate for the iniquities of General Butler (better known as Butler, the Beast,) in the State of Louisiana; as well as his retaliation proclamation against General McNeill for the murder of citizens in the State of Missouri; and we trust that retaliation will be strictly and rigidly practiced by our government in all such cases of outrage, and we pledge the people of this State to sustain the President of the Confederate States in all his measures of retaliation against those who

outrage humanity by such an utter disregard of the rules of civilized warfare."

(5) "Resolved, That the power to regulate commerce is, by the Constitution of the Confederate States, vested in Congress; and that the power assumed by the military authorities of this department to allow, control, and prohibit the exportation and transportation of cotton, is unwarranted in law, is an encroachment upon the rights of the people and upon the power of Congress, and is an exercise of power which Congress itself has refused to exercise (by act approved May 21, 1861), and which tends to the impoverishment of one portion of the people and to the aggrandizement and corruption of another, and to expel the planter and lawful trader from the market, to create monopolies, and to cause scarcity of supplies and consequent high prices.

"That our senators in Congress be instructed, and our representatives requested, to see that the Rio Grande trade is not unlawfully closed or obstructed, and that such regulations be prescribed to the officers of customs as may be necessary to secure to the people the benefits of said trade and a return of supplies."

(6) "Be it resolved by the Legislature of the State of Texas, That the thanks of the Legislature are hereby tendered to Gen. J. B. Magruder, and the officers and men under his command, for the brilliant victory which they gained over the Federals at Galveston on the 1st of January last; and to Maj. O. M. Watkins and the officers and men under his command for their gallant conduct at Sabine Pass, and the recapture of that fort and capturing the blockading vessels of the enemy; and to Maj. Dan Shea and the officers and men under his command for their firm defense of the town of Lavaca; and to Major Hobby and the officers and soldiers under his command for the repulse of the enemy's attack on Corpus Christi—the commencement of our successes on the Texas coast; and to Captains Ireland and Ware and the officers and soldiers under their command for their exploit in the capture of Captain Kittredge and his men near Corpus Christi; and to Captains Ireland and Wilkie and the officers and soldiers under their command for their good conduct in defeating the enemy's attempt to capture one of our vessels, and in capturing his barges in the bay of Corpus Christi; and to Capts. Santos Benavides and Refugio Benavides and officers and

men for the vigilance, energy, and gallantry displayed by them in pursuing and chastising the banditti infesting the Rio Grande frontier."

The extra session adjourned sine die on the 2d of March.

In reply to a letter from Capt. S. T. Mains, of the State troops, detailing the exposed condition of his section and the need of additional troops, I wrote him, under date of March 12, 1863, that for lack of legislative appropriations I was powerless to afford help at that time; that I was then in correspondence with General Magruder on the subject, and hoped to effect something for his section in that way; that I was forwarding to the frontier line all the available ammunition, and that it was my intention to do all in my power to secure adequate protection for the frontier.

On March 27th I wrote to President Davis, urging acceptance of the frontier regiment by the Confederate government, and giving him a history of its organization and objects, and of my efforts to have it transferred to the regular service to save expense to the State. I also informed him of the passage by the Legislature of an act removing all restrictions imposed by a former act, with the only exception that its service should be continued on the Indian frontier for its defense, and that under this supplemental act the regiment had again been tendered to the general commanding the military district of Texas, and had been by him accepted, subject to the approval of the President.

In concluding my letter I said: "Impressed with a firm conviction of the superiority of this mode of defense for the protection of our Indian frontier, and its pre-eminent efficiency having been recognized by the people of that section and the Legislature at its several sessions; in a spirit the very reverse of dictation, I would invoke your excellency to accept the service of this regiment, and to that extent save the people on our Indian frontier, in the future, from the renewal of the countless sacrifices which they have heretofore made, and the horrible consequences that accompany these Indian raids."

The President, however, denied my application, refusing to accept the regiment if hampered by any conditions whatever.

The citizens of Wise, Parker, and Jack counties had petitioned the Legislature for additional protection against Indian depredations.

After adjournment of that body, I wrote them, through Messrs. Armstrong, Simpson, Benson, and others, that their petition had been duly considered by the members of the Legislature, who adjourned, however, without authorizing me to raise a man or expend a dollar for the protection of the frontier, beyond the appropriation made for the frontier regiment; but that General Magruder, at my urgent request, had authorized Brigadier-General Hudson to raise four or five companies for frontier service, and had ordered to the Red River line the mounted regiment of Colonel Phillips; and further, that I had requested General Magruder to retain in Cooke County, till relieved by other forces, the four companies of De Morse's regiment under Major Carroll, sent to that quarter by General Cooper, of the Indian department.

I also expressed the hope that, with these additional troops on the frontier, adequate protection would be afforded the people in that section against all depredations of Indians and jay-hawkers, and stated I felt entirely sure that the frontier regiment, as then reorganized, was in a better condition for effective service than ever before.

CHAPTER TWENTY-SIX.

Inspection of the Fortifications at Galveston — Call for Ten Thousand More Troops — Want of Arms — Fall of Vicksburg — Proclamations to Encourage the People — President Davis' Letter to Gen. Kirby Smith — Death of General Houston — Gen. Kirby Smith on the Situation — Second Conference of Governors at Marshall — Indian Frontier — Dick Dowling's Fight at Sabine Pass.

General Magruder had been utilizing slave labor for some time in fortifying Galveston, and, somewhat desirous to see the extent of his works, I set out from Austin about the last of May, with Colonel Dashiell, A. A. G., for the coast.

I spent several days quite pleasantly in Houston, where I also had the good fortune to meet General Magruder and quite a corps of distinguished officers. The General was enthusiastic over his works in Galveston Bay, and anxious to show them to me, and for that purpose it was thought best to take the bayou route. We proceeded down Buffalo Bayou on the elegant steamboat *Island City*, passing in broad daylight the battlefield of San Jacinto, where the independence of Texas had been won. As our boat glided by this historic and memorable spot, the thought was vividly present in my mind that our liberties were then more seriously threatened by our own kith and kin than they had been in other days by an alien race; and when I glanced at the gallant company about me, there came to me the inspiring reflection that we had triumphed then by virtue of the justice of our cause and the tried valor of our people, and would do so again, if the achievement of such a result could be accomplished by heroism. The boat paused in midstream on coming opposite the battleground, and General Magruder and his military escort viewed with absorbing interest the stretch of ground on which the soldiers of a former time had won imperishable renown. There was old Lynchburg, just below, with its gloomy surroundings, as of yore. With agreeable company and fine scenery, the trip was pleasant enough. On the approach of night, Cook's band on board discoursed the sweetest music, and the company sang and danced as they pleased, and "all went merry as a marriage bell."

The military men of our party were, to the best of my recollection, besides General Magruder: Colonel Dashiell, Colonel De Bray, Colonel Bankhead, Colonel Ives (aide-de-camp to President Davis), Lieutenant Kirby (aide-de-camp to Gen. E. Kirby Smith), Major Pearce, Major Pendleton, Maj. Leon Smith, Major Dickinson, Maj. George Magruder, Major Mason, Major Watkins, Captain McGreal, Captain Turner, Lieutenants Warner, Yancy, and several others of lesser note.

Reaching Galveston, we waited until the following morning to inspect the fortifications. They were constructed, so I was informed, under the direction of Colonel Sulokoski, Magruder's Polish chief of engineers, whom he had brought with him from Virginia.

The next day, to better make an inspection of the line of defenses, including the obstructions in the channel leading into the harbor, the inland fleet, and the fortifications, a party, consisting of General Magruder and staff, Colonel Dashiell, and myself, with several charming ladies, took passage on one of the steamers. This outing was certainly a combination of business and pleasure, as the ride was delightful, and the view presented, the inland fleet, the city, Pelican Spit, and the bridge, and an examination of the works, were all interesting. To examine the military works we landed, and after their inspection we were afforded the pleasure of witnessing an exhibition of artillery practice by the troops.

I was gratified to learn, in this connection, that General Magruder had recovered from the wreck of the Yankee steamer *Westfield* five cannon of various calibres; one being a nine-inch Dahlgren, and another an eight-inch columbiad, which were found on the sea bottom about thirty feet away from the hulk, with gun-carriages intact, and raised with grappling hooks and windlass. After viewing the defenses of Galveston, pronounced by competent critics to be the most scientific and formidable in the Confederacy, I could but be pleased with the outlook for the Island City and Texas. The commanding general had them so well advertised to the world that the Yankees never cared to put their strength to the test. As has been before observed, Magruder had a little bluster in his composition, which at times served a good turn in scaring the enemy.

The agreeable experiences of the day were fittingly concluded with a grand ball at night at Miss Cobb's schoolhouse. It was probably given as a compliment to General Magruder and brother officers. However, I attended it; but I imagined I was somewhat overshadowed, in the eyes of the fair ladies, by the brilliant military throng. A good share of the representative belles of both Houston and Galveston being present, the evening was delightfully spent.

In compliance with General Magruder's requisition on me for 10,000 troops (made June 4th), I at once issued a proclamation calling for that number of men to defend the State, saying, among other things: "I invoke you, men of Texas, by every tie of family and of country, to rally to our standard. Your Governor, in your name, has promised that this call will be filled with alacrity. This pledge must be redeemed. It will be."

The requisition was slowly filled, but the chief difficulty was in procuring arms for the militia. It was no unusual thing to see bodies of militia in different parts of the State practically without weapons of any kind. Were ever patriots reduced to such desperate straits in any country before?

Magruder's requisition for troops was preceded by a long letter to me sketching the situation and needs of the State. In it he said, in substance, that he expected a more formidable invasion by the Yankees, and that it must be met by adequate preparation; that, on opening the Mississippi, then probable, their light-draft gunboats would be pushed into every navigable bay and bayou in Louisiana and Texas; that the contiguous territory would be laid waste, the negroes set free, our men killed or imprisoned, and our women subjected to every species of brutality and insult; that cravens, if any in Texas, could not hope to save their property by submission to Yankee tyranny, as had been lately demonstrated in Louisiana; that, to fight successfully, troops must be provided, organized, and disciplined, and important points fortified; that Texas was in more danger of invasion than ever before, especially if the enemy succeeded in opening the Mississippi, and that it was not his intention to keep from their homes, unless necessary, the 10,000 militia called for, but to organize them and prepare them for service, so that they would be ready for any emergency.

He directed my attention to that portion of the impressment law of Congress that related to slaves. He said the most patriotic slaveholders had furnished more than their share of laborers for the fortifications at Galveston, while the more selfish kept their slaves at home or reclaimed them (if loaned) on the first opportunity, and stated that 1500 slaves were required for immediate service on fortifications, and that if not forthcoming, the impressment law (authorizing the taking of one-half the male population over eighteen) would be rigidly enforced, as the coast defenses were absolutely indispensable to the security of slave property. In reference to my late visit to Galveston, he said: "Your excellency, in company with myself, has recently visited and inspected the fortifications, the Harriet Lane, the inland fleet, and could not but have felt the greater sense of security, after witnessing the effect of the fire of our guns upon the channels of approach, and after an examination of the strongest and most skillfully constructed earthworks that are to be found in any country." And in conclusion: "I have made your excellency the above plain and frank statement of facts, that they may be communicated to the people. . . . I have the honor to assure your excellency that the patriotism, zeal, and intelligence which have marked your co-operation with the Confederate commanders in this district are fully appreciated by them and the government, and have contributed greatly to the success of their efforts to rescue the district of Texas from the presence of the enemy and to maintain it, to this moment, free and independent. For these great services, rendered by yourself and the patriotic and able men who control the military resources of the State of Texas, I beg leave to tender my cordial thanks and public acknowledgments."

Vicksburg, our great stronghold on the Mississippi, was at last surrendered to the enemy, its brave defenders being reduced to that extremity as much by famine as by the preponderating number and exertions of the enemy. We lost 30,000 men by the fall of Vicksburg, and the enemy gained undisputed control of the Mississippi from its source to the sea. This was an irreparable disaster, but the ensuing demoralization among the soldiers and people was worse. I, however, did not consider our situation desperate, and, to encourage our depressed people to continue

resistance and make preparations to determinedly oppose further advances of the exultant Federals, I issued a cheering proclamation, July 24th, in which I said:

"The fall of the heroic city does not necessarily give the enemy the control of the Mississippi, neither does it ensure the invasion of Texas; nevertheless, it behooves every man to be prepared and nerved for any fate that may befall him or his country. To avert war from your doors, make adequate preparations for resistance.

"The spectacle of a whole people in arms for the defense of their altars and household gods (boys, manhood in its prime, and grey-headed sires), the path of victory or death pointed out by wives, sisters, and mothers, prepared to *perish* rather than *live* the slaves of slaves,—such a spectacle will cause the foe to pause ere he encounters an entire people ready to *die*, not to yield.

"Therefore I call upon you in the name of the departed heroes of Texas, and in the name of their widows and orphans; I call upon you in the name of the patriots now battling for us upon distant fields; I invoke you as patriots, as lovers of freedom, as men struggling in a most righteous cause, to organize at once under the call made upon you, to beat back our insolent and brutal foe, who, when he crosses our frontier, will mark his progress with desolation and ruin."

I also called attention to General Magruder's proclamation urging the organization of minute companies of cavalry, exhorting the "exempts" then at home to be ready to defend their firesides, calling on the shirkers in the rear to come forward and redeem their manhood, and requesting slaveholders to hire their slaves to the government to serve as teamsters and other laborers; all of which utterances of the General I heartily approved and seconded.

General Magruder said in his proclamation that if any should prove insensible to his appeal, and his army should be left at disadvantage by those who should swell its ranks, he would see to it that no such recreants should be left between his lines and those of the enemy to protect by perjury the wealth they had amassed by grinding extortion, or in any other way turn their cowardice or baseness to profit. Referring in my address to this announcement, I said: "And may those who, to save life and

property, take the oath of allegiance to so foul and corrupt a government as that of Lincolnism, meet the fate due to traitors, and their names be consigned to ignominy and the execrations of posterity! And I pledge myself to assist the commanding general in disposing of all such miscreants, should any such be found in our midst. . . . If we are but true to ourselves, we are strong enough west of the Mississippi . . . to beat the Yankee vandals from our soil."

President Davis, ever mindful of the dangers of our isolated situation wrote July 14th to Gen. E. Kirby Smith: "After the fall of our two fortified places on the Mississippi River (Vicksburg and Port Hudson) your department is placed in a new relation, and your difficulties must be materially enhanced. You now have not merely a military, but a political, problem involved in your command. I have been warned against a feeling which is said to exist in favor of a separate organization on the part of the States west of the Mississippi. Unreasonable men think they have been neglected, and timid men may hope that they can make better terms for themselves if their cause is not combined with that of the Confederacy. Already I am told that dissatisfaction exists in Arkansas, and that it has been assumed that you intend to abandon that country, the basis of such supposition being your concentration of troops in Louisiana. To give to each section all that local interests may suggest, will of course, be impossible; but much discontent may be avoided by giving such explanations to the Governors of the States as will prevent them from misconstruing your actions. . . . Separated from the Eastern States, as you now are, your department must needs be, to a great extent, self-sustaining." Continuing, the President referred to our large resources of natural wealth and the necessity of utilizing them in the manufacture of munitions of war, shoes and harness, clothing and blankets, and other articles, and in raising food for the people and army. After congratulating him on the victories won at Brashear City, Sabine Pass, and elsewhere, Mr. Davis concluded his letter with the following words: "We are now in the darkest hour of our political existence. I am happy in the confidence I feel in your ability, zeal, and discretion. The responsibility with which you are charged is heavy, indeed, and your means,

I know, are very inadequate. If my power were equal to my will, you should have all that you require. It grieves me to have enumerated so many and such difficult objects for your attention, when I can give you so little aid in their achievement. May God guide and preserve you, and grant to us a future in which we may congratulate each other on the achievement of the independence of our country."

Amid the clash of arms in civil strife, the spirit of Sam Houston was borne from the scenes of earth. He died at Huntsville on the 23d of July, 1863, with his family and a few particular friends around him. His health had been failing for several months, and death did not find him unprepared. His last will⁷⁶ is a curiosity of its kind, and is well worth reading.

⁷⁶ "In the name of God, the Father, Son, and Holy Spirit, I, Sam Houston, of the county of Walker and State of Texas, being fully aware of the uncertainty of life and the certainty of death, do ordain and declare this my last will and testament.

"First. I will that all my just debts be paid out of my personal effects, which I think sufficient without disposing of the family servants.

"Second. I bequeath my entire remaining estate to my beloved wife, Margaret, and our children, and I desire that they may remain with her so long as she remains in widowhood; and should she at any time marry I desire that my daughters should remain subject to her control so long as their minority lasts.

"Third. My will is that my sons should receive solid and useful educations, and that no portion of their time may be devoted to the study of abstract science. I greatly desire that they may possess a thorough knowledge of the English language, with a good knowledge of the Latin language. I request that they be instructed in the knowledge of the Holy Scriptures, and next to these that they be rendered thorough in a knowledge of geography and history. I wish my sons early taught an entire contempt for novels and light reading, as well as to the character and morals of those with whom they may be associated or instructed.

"Fourth. I leave my wife as executrix, and the following named gentlemen as my executors: Thomas Carothers, J. Carroll Smith, Thomas Gibbs, and Anthony M. Branch, my beloved friends, in whom I place entire confidence, to make such disposition of my real estate as may seem to them best for the necessities and interests and welfare of my family. To my dearly beloved wife I confide the rearing, education, and training of our sons and daughters.

"Fifth. To my eldest son, Sam Houston, I bequeath my sword, worn in the battle of San Jacinto, to be drawn only in defense of the Constitution, and laws, and liberties of his country. If any attempt be made to assail one of these, I wish it to be used in its vindication. It is

Information of Houston's death was received over the State with feelings of profound sorrow ; but the pressing duties arising from the war almost entirely engrossed public attention at the time, and it was not until a subsequent period that the Legislature expressed, by suitable resolutions, the public sentiment on the passing away of the hero of San Jacinto,—a man whose few defects of character (which he possessed in common with all mankind) but served to accentuate his great virtues and abilities.

In September, Gen. E. Kirby Smith, in a letter to President Davis, deplored the inability of his small army, destitute of supplies, to cope with the overwhelming numbers of the enemy being hurled against it, well supplied with military equipments.

"The arms intended for us," said he, "were lost at Vicksburg. . . . The United States blockading fleet have effectually prevented the arrival of other arms confidently expected. I do not make these statements in a fault-finding spirit, but they are facts which present the almost hopeless condition of our affairs in this department. . . . The people and the State troops, which are called out, know they can not be armed. Despondent and disheartened, they have but little hope of the result. The whole male population, the aged and the infirm, have been called upon to organize under the acts for local defense. Sixty thousand rifles could, I believe, this moment be well disposed of throughout this department."

my will that my library should be left at the disposition of my dear wife.

"Sixth. To my dearly beloved wife I bequeath my watch and all my jewelry, subject to her disposition.

"Seventh. I hereby appoint my beloved wife, Margaret, testamentary guardian of our children, their persons and estates during minority. But should a wise Providence, through its inscrutable decrees, see fit to deprive our offspring of both parents, and make them orphans indeed, it is hereby delegated to my executors, J. Carroll Smith, Thomas Carothers, Thomas Gibbs, and Anthony M. Branch, to make such disposition in regard to their welfare as they may think best calculated to carry out designs as expressed in this my last will and testament.

"Eighth. And I direct and enjoin my executors, that after the probate and registry of this, my last will, and return of inventory of my estate, the county or court of probate have no further control of my executors or testamentary guardian of my estate.

"Done at Huntsville, April 2. 1863.

"SAM HOUSTON."

Of course this despairing letter was not made public at the time. General Smith enclosed with his letter to President Davis a communication to Mr. Slidell, our representative in Paris, urging upon him the importance of immediate interposition by France in behalf of the Confederacy.

The fall of Vicksburg split the Confederacy into two parts, neither of which thereafter had the power of rendering aid to the other. Communication with the Richmond government was immediately interrupted. It was realized that unless this was restored the results would be worse than those following the loss of Pemberton's army, or the repulse of Lee at Gettysburg. In recognition of the gravity of the situation, Gen. E. Kirby Smith called another conference of the Governors of the States west of the Mississippi, the meeting to take place at Marshall, August 15, 1863.

The conference assembled at the time and place appointed, with the following in attendance:

From Texas, Hon. W. S. Oldham, Confederate States senator; Pendleton Murrah (Governor-elect), Maj. Guy M. Bryan, and myself; from Louisiana, Gov. Thos. O. Moore, Colonel Manning, Chief Justice Merrick, Associate Justice Voorhies; from Arkansas, Robt. M. Johnson, Confederate States senator and representative of Governor Flanagan; C. B. Mitchell, Confederate States senator, and W. K. Patterson; from Missouri, Gov. Thos. C. Reynolds, and Gen. E. Kirby Smith.

General Smith submitted the following questions for consideration:

"First. The condition of the States since the fall of Vicksburg, the temper of the people, the resources and ability of each State to contribute to the cause and defense of the department, and the best means for bringing into use the whole population for the protection of their homes.

"Second. The best measures for restoring confidence and checking the spread of disloyalty, and keeping the people steadfast in the hope of ultimate triumph of our army.

"Third. The questions of currency, and the best method of securing the cotton of the department without causing opposition on the part of the people, and best method of disposing of the same.

"Fourth. The extent of the civil authority to be exercised, referred to by the President and Secretary of War in their letters to the lieutenant-general commanding.

"Fifth. Appointment of commissioners to confer with the French and Mexican authorities in Mexico.

"Sixth. Arms and ordnance stores."

Two days later, on August 17th, I was elected to the chair, and W. K. Patterson secretary.

On motion, I appointed the following committees:

No. 1, Governor Reynolds, Voorhies, Johnston, Bryan, Oldham, and Patterson; No. 2, Oldham, Merrick, Mitchell, Reynolds, and Lubbock; No. 3, Johnson, Moore, Murrah, Reynolds, Manning, and Merrick; to which the various propositions were assigned, to be by them considered and reported on.

Judge Merrick, for committee No. 2, reported that in the opinion of the committee it was intended that such powers only should be exercised by General Smith as were then exercised by military officers at Richmond, and which it was absolutely necessary, on account of inability to communicate with Richmond, that the general should assume in order to augment and maintain his army and put the department in the best state of defense.

The objects to which such powers were to extend were enumerated generally in the letter of the Secretary of War.

"Of course," said the committee report, "when the Secretary of War advises the general in command of the department to assume powers not granted by an act of Congress to any general in the army, and only exercised by other departments of the government, he expects that such powers (which are only powers of administration) should be exercised according to existing laws, and that nothing shall be changed except the agents by which the operations of the government in respect to this department are carried on.

"The respective States composing the department have organized governments, and it could not have been the intention of the Secretary of War to advise the commanding general to assume civil authority which belongs to the States, they still having officers present ready to perform their respective duties and functions."

Col. Pendleton Murrah, from the same committee, made the following report :

"The undersigned, a sub-committee to whom was referred this question, respectfully submit that the dependence of the Trans-Mississippi Department upon the ports of Mexico for supplies and for communication abroad, together with the relationship of the French and Mexican governments at the present time, make an understanding with the authorities by those governments highly important, if not absolutely essential. The disposition of those powers and their officials can only be ascertained by correspondence with them. The correspondence under the existing state of things, even as to civil matters, can not, perhaps, be conducted directly through the government, and as the correspondence, to have reference nearly directly to the interest of the department and its immediate wants, the law, whenever the law speaks, and propriety when the law is silent, points out the military commander of the department as the proper official to institute and conduct the correspondence. As to the mode of carrying on the correspondence, it is of course to be left to the discretion of the commander; and yet it is not deemed improper to suggest that the importance of the subject authorizes, if it does not require, an agent, intelligent, well informed, of known character, one adapted to inspire confidence in his knowledge and discretion, and not likely to be misled in these times of trial and uncertainty by mere plausibilities of instructions intended to please and flatter, without promising or guaranteeing anything of benefit. The selection of such an agent and the prosecution of such line of policy would find its justification in facts which have already transpired in the conduct of French officials. These facts, forming a basis of inquiry and authorizing an approach to them officially for that purpose, would enable the agent or commissioner to sound, upon Mexican soil, both French and Mexican authorities, ascertain their disposition towards our government and people, and what we may expect of them in the way of favor or assistance; what credit may be founded upon the various productions, etc., in our own territory. Whilst the agent might not be dignified by any definite title or grade which proclaims his authority and its extent, he might at least be authorized to make explanations, give assurances, and come to an understanding

founded upon consummations of especial interest, pointing directly to the wants of this district and embracing the specific matters pertaining to the general questions of credit and supplies from abroad.

"It is believed that our situation is such that these inquiries can not be pushed forward with too much industry and discretion; for if it be that the French government is favorably disposed towards our country, such control has it over the country and ports of Mexico, that its will is likely to be law, and important results may be anticipated from securing its good will. The condition of the Trans-Mississippi Department, her wants, what is believed and ascertained of the disposition of the present authorities, it is believed fully authorizes the commanding general, etc. He can not be instructed from Richmond as to civil matters pertaining to the agency, questions of mere irregularity, or even of doubtful authority. In conducting the correspondence, both the interest of the country and the necessities under which it labors will be the law to guide his discretion."

Gov. Thomas C. Reynolds, from committee No. 1, made the following report:

"The undersigned, to whom was referred the condition of the Trans-Mississippi Department since the fall of Vicksburg, has had the same under consideration and beg leave to submit the following report:

"Since the commencement of the war this department has labored under peculiar difficulties of a very embarrassing character; it has received but a meager share of the limited supplies of arms and munitions of war under the control of the government. Waiving all inquiry at present as to the causes which prevented adequate supplies from being sent west of the river, it is sufficient to say that the supply of arms, munitions, etc., in this department has never been equal to the imperative demands of the army. This was true before the fall of Vicksburg and Port Hudson. Now, since the enemy have entire control of the Mississippi River, and have the gulf coast effectually blockaded, and the State of Missouri overrun and governed by military power, we are completely separated from our confederates east of the river, and must abandon all hope of even the imperfect and irregular supply heretofore received from the government, and at once and entirely rely upon our own resources.

"Beleaguered as we are, the general in command can neither transmit reports nor receive communications regularly from the seat of government. Hence the safety of the people (the supreme law) requires that he assume at once and exercise the power and prerogatives of the President of the Confederate States and his subordinates in reference to all matters involving the interests of his department. Our necessities demand this policy and will not brook delay, and it is believed that all the exigencies of the country may be met without violating the Constitution and laws of the Confederate States, and without assuming anything like dictatorial powers.

"As to the temper of the people, we are compelled to report some disaffection and disloyalty in each of the several States of this department, and considerable gloom and despondency, the result of the loss of Vicksburg and other disasters, but the great mass of the people are loyal to the government of their choice and have full and unreserved confidence in the ability and integrity of the lieutenant-general commanding this department, and we think it safe to say that they have maturely and considerably determined that no greater calamity can befall them than subjugation or submission to the Federal government. Reference in general terms only is here made to the resources of the States, because your committee have not the requisite information to enable them to give special details. Nor do they deem it important, as the general can, through his subordinate officers, obtain more copious, accurate statistics than we can possibly give in this report.

"It is thought that Texas can and will put into the field from 15,000 to 20,000 men, including the stragglers, teamsters, etc. She has grain, bacon, and beef to feed her people and the army two years; four gun factories making 800 guns per month; metal, copper, and tin to make 100 cannon, and gun carriages for a like number complete and in process of construction. She is making percussion caps successfully, has two powder mills doing good work, and on hand 30,703 pounds of common powder, 25,635 pounds lead, 90,000 fixed ammunition, and 234 pounds of buckshot. She has in the field now one regiment State troops for frontier protection, well supplied with ammunition. She has distributed a limited supply of powder, lead, and caps to some

counties. She has furnished great numbers of cotton cards to her people, and she is now manufacturing them, and she has on hand material to keep in good repair the machinery of the penitentiary.

"Arkansas can furnish 8000 to 10,000 men, and has immense quantities of provisions and forage; her shops and factories are all in the hands of the government, and the general has all needful information in reference to them.

"Louisiana can provide 5000 or 6000 men, and has an excess of corn, sugar, and molasses.

"As to the manufacture of clothing and the mineral resources, we refer the general to his clothing and mineral bureau and his ordnance department, as more reliable sources of information than any in our power.

"Missouri can furnish 15,000 to 30,000 men now in States in our possession, and large numbers are daily accruing. Missouri at present is valuable chiefly as recruiting ground for the Confederate army. It is thought by the Governor of Missouri that a good system of recruiting in Missouri would add a regiment a month from that State, and it is also thought that an advance in force in Missouri would add from 20,000 to 50,000 Missourians to our army.

"As to the means of bringing into use the whole population for the protection of their homes, we urge the execution of the conscript laws, with the privilege of volunteering; the calling out of the militia by the several Governors; the enrollment of volunteers for same term of service as State troops, or for the war, in districts where the conscript law can not be enforced by reason of actual or threatened invasion; and we urge, by every consideration, the impressment of negroes to drive all the teams in government service, thereby turning loose an army of teamsters who are good fighting men. We ask to be discharged from the further consideration of the means for increasing the loyalty, restoring confidence, and keeping the people steadfast, etc., and that the proposition may be considered by the entire conference."

The foregoing reports were unanimously adopted.

Hon. W. S. Oldham, of committee No. 2, made the following report:

"The committee to whom was referred the following subjects,

submitted by Lieutenant-General Smith to us, the question of currency and the best mode of securing the cotton of the department without causing opposition on the part of the people, submit the following report:

“That in view of the difficulties resulting from the occupation of the Mississippi River by the enemy, the cotton of this department is the only safe and reliable means for carrying on efficient military operations for the defense of the country west of the Mississippi. The authority of the general in command under the circumstances to use the cotton as a means of purchasing and accumulating military supplies can not be doubtful under the provisions of the act of Congress usually denominated the impressment act. As it will be impossible to obtain Confederate treasury notes to pay for the cotton to the amount that will be necessary, and as such an additional amount thrown into the circulation largely accruing, our already redundant circulation would lead to the still greater depreciation of Confederate notes as a currency, we make the following suggestions for the consideration of the commanding general: That certificates be executed to deliver to the owners of the cotton purchased, pledging the government for the payment of the price agreed upon in 6 per cent coupon bonds, the interest to be paid semi-annually from the date of the certificate in specie, and with the additional pledge that a sufficient amount of the proceeds of sale of the cotton shall be inviolably set apart for the payment of the interest coupons for at least the two first years, and that the government will provide for the prompt and certain payment of future accumulating interest. We believe the planters would prefer such a payment than to payment in treasury notes; that such certificates would not swell the volume of circulation now afloat; and that the value would be estimated much higher than treasury notes and would have a credit that would make them much more available as a means for obtaining whatever the holder might wish to purchase at home or abroad than any other form of security the government could issue.

“Taking possession of the entire amount of cotton, with such exceptions and modifications as the commanding general may deem necessary to meet particular wants or necessities of the people, would take the trade in cotton out of the hands of specu-

lators now engaged in it, prevent the further depreciation of Confederate notes, by preventing an amount equal to the value of the entire cotton crop being accumulated in the locality of this department, in which a superabundance now already exists, and prevent a further demoralization of public sentiment by the greed of gain and avaricious desire with which it is already infected.

“Upon the subject of discharging the necessary military obligations incurred, we venture to suggest that in case money can not be obtained from Richmond for that purpose, the commanding general, in the execution of the special powers conferred upon him by the President, could cause the Confederate notes not bearing interest, which have been funded with the various depositories within the department, to be reissued and paid out by the proper officers in discharge of the debts for military purposes, as well as pay due the soldiers. Although the pledge would not be binding upon the government, we have no doubt if such notes are reissued with the pledge of the privilege of being refunded in bonds of the same rate of interest as new issue, the government under the circumstances would not hesitate to ratify and redeem the pledge.”

The question being upon the adoption of the foregoing report, the conference unanimously adopted all that part of the report which relates to the buying and impressment of cotton and the reissuing of treasury notes in the hands of depositories, but refused, by a tie vote, to adopt that part of said report recommending the issuance of specie certificates in the purchase of cotton.

Governor Reynolds, of Missouri, offered the following resolution, which was adopted:

“Resolved, that to harmonize and infuse vigor into the patriotic efforts of the people, diffuse correct information, and discourage disloyalty, an organization should be instituted as follows: The Governors for the time being of the Trans-Mississippi Department should unofficially compose a committee of public safety, with a chairman to call it together when necessary and act as its agent, and should provide for committees of correspondence in each county and parish to correspond with the Governor of their State and with the committee. The people of each county and parish should form a voluntary Confederate

association to co-operate with the Trans-Mississippi Department committee of public safety and the corresponding committees."

Thos. C. Reynolds, Governor of Missouri, was appointed chairman of said committee.

D. C. Mitchell offered the following resolution, which was unanimously adopted:

"Resolved, that from our intercourse with Lieut.-Gen. E. Kirby Smith, and after hearing his general plan, we have the most implicit confidence in his regard for law, his military skill and ability, his devotion to Southern rights, and his purity and integrity as a man, and that we believe the united and vigorous support of our people will, under his leadership, insure a final complete success."

Chief Justice Merriek of Louisiana, Senator Johnson of Arkansas, and Senator Oldham of Texas were appointed to present the above resolution to General Smith.

Whereupon the conference adjourned.

The following extracts from the address issued by us to the people of Texas, Arkansas, Louisiana, Missouri, and the allied Indian Nations, cover its most interesting features:

"We will not attempt to disguise the change in our position by the fall of our strongholds on the Mississippi River. Interrupting communication between the two sections of the Confederacy, it throws each mainly on its own resources. But the apprehensions of evil from this interruption have been greatly exaggerated. The warning given by the fall of New Orleans has not been unheeded, and the interval since that event has been used to develop the great resources of this department. We are now self-dependent; but also self-sustaining. With our own manufactories of cannon, arms, powder, and other munitions of war; with mines opened and factories established; with cotton for a basis of financial measures, and with an abundance of food, we are able to conduct a vigorous defense and seize occasions for offensive operations against the enemy. The immense extent of our territory, the uncertainty of navigation on our rivers, the unwholesomeness of the regions through which our interior is approached, the difficulties of transportation on our roads, present immense obstacles to the advance of large armies of the enemy with their cumbrous train of luxurious supplies. Small

bodies will ignominiously fail in the attempt at our subjugation. To crush even his largest armies we rely on the energy and skill of our military commanders, the zeal and activity of our civil authorities, the discipline and courage of our armies, and the vigorous, self-sacrificing patriotism of our whole people. There is everything to incite us to renewed efforts; nothing to justify despondency. . . .

"The capitalist must be liberal of his means; the speculator forego his gains; the straggler hasten to his regiment; every able-bodied man hold himself in readiness for military service. Our women, the glory of our race, tend the loom and even follow the plow; our boys guard the homes their fathers are defending on the frontier; and western skill and valor will prepare a San Jacinto defeat for every invading army that pollutes the soil of this department. Unsurpassed in courage, intelligence, and energy, you have only to arise in your might and the enemy will speedily be driven back. Be true to yourselves, to your past history, to your hope for the future, and a baffled foe will gladly seek the peace which we war to obtain.

"The enemy may dismiss all hopes that the western section of the Confederacy will seek any destiny separate from that of our sisters east of the Mississippi River. Attached to the Confederacy by community of race, institutions, and interest; baptized in the blood we and they have poured out together, we desire no new political connection. Let our eastern confederates do their full duty; these States and their Indian allies will do theirs. And when our joint efforts have secured our common safety, the remembrance of the danger from a temporary cessation of intercourse will only strengthen the ties that bind us together. . . .

"On God's help and our own right arms we steadfastly rely, counting on aid neither from the policy of neutral nations nor from the distraction in the midst of our enemies."⁷⁸

⁷⁸ In my last message to the Legislature, November 5, 1863, I said: "On the 15th of August last I met, by invitation of Lieut. Gen. E. Kirby Smith, commanding the Trans-Mississippi Department, that gentleman and the Governors of the States west of the Mississippi River, together with several Confederate States Senators, Supreme Court judges, and other prominent citizens of these States, at Marshall, Texas,

On my return to the capital after the conference, I wrote to General Smith, calling his attention to our Indian frontier, and asking him to send a few more soldiers to our aid, who, while repelling the Indians, might also rid that section of many deserters from the army who infested it. I further suggested that he detach for service on our frontier Colonel Baylor's regiment (then in Louisiana), on account of their extensive experience in Indian warfare. I urged upon him the policy of allowing deserters to return to their colors in any regiment or command, without regard to where they belonged, which I thought could be done under a liberal interpretation of the President's declared policy towards deserters. I said in conclusion: "My anxiety to see the frontier people protected and the army if possible increased, must be my apology for troubling you on these subjects."

Instead of General Baylor, as I requested, Gen. Henry McCulloch and his command were assigned to duty on our northern border, in charge of the Indian country. General McCulloch was a gallant fighter and frontiersman of large experience, and I wrote him a letter of congratulation, expressing at the same time my regret that the Indians were then committing so many depredations on the frontier, and also my fears that the effect on the soldiers whose families resided in the exposed counties would be bad indeed.

On the 8th of September, 1863, there occurred at Fort Griffin, commanding Sabine Pass, one of the most remarkable engagements of the war, resulting in a victory for the Confederate arms that immortalized those who participated in it. It is best described in the language of First Lieut. R. W. Dowling, who, with Company F, Cook's artillery, manned the works, and who was the recognized hero of the affair:

"On Monday morning about 2 o'clock," says Lieutenant Dowling in his official report, "the sentinel informed me the enemy were signaling, and, fearing an attack, I ordered all the guns at the fort manned, and remained in that position until daylight,

to confer upon the condition of the country west of the river, and place the General in possession of the resources of those States. The conference proved highly satisfactory to those present, developing evidences of strength and ability to sustain the country west of the Mississippi beyond their most sanguine expectations."

at which time there were two steamers evidently sounding for the channel on the bar, and a large frigate outside. They remained all day at work, but during the evening were reinforced to the number of twenty-two vessels of different classes.

"On the morning of the 8th the United States gunboat Clifton anchored opposite the lighthouse and fired twenty-six shells at the fort, most of which passed a little over or fell short; all, however, in excellent range, one shell being landed on the works and another striking the south angle of the fort, without doing any material damage. The firing commenced at 6:30 o'clock, and finished at 7:30 o'clock by the gunboat hauling off. During this time we had not replied by a single shot. All was then quiet until 11 o'clock, at which time the gunboat Uncle Ben steamed down near the fort. The United States gunboat Sachem opened on her with a thirty-pounder Parrott gun. She fired three shots, but without effect, the shots all passing over the fort and missing the Ben. The whole fleet then drew off, and remained out of range until 3:40 o'clock, when the Sachem and Arizona steamed into line up the Louisiana channel, the Clifton and one boat, name unknown, remaining at the junction of the two channels. I allowed the two former boats to approach within 1200 yards, when I opened fire with the whole of my battery on the foremost boat (the Sachem), which, after the third or fourth round, hoisted the white flag, one of the shots passing through her steam drum. The Clifton in the meantime had attempted to pass up through Texas channel; but, receiving a shot which carried away her tiller rope, she became unmanageable and grounded about 500 yards below the fort, which enabled me to concentrate all my guns on her, which were six in number, two thirty-two-pounder smooth-bores, two twenty-four-pounder smooth-bores, and two thirty-two-pounder howitzers. She withstood our fire some twenty-five or thirty-five minutes, when she also hoisted a white flag. During the time she was aground she used grape, and her sharpshooters poured an incessant shower of minie balls into the works.

"The fight lasted from the time I fired the first gun until the boats surrendered; that was about three-quarters of an hour.

"I immediately boarded the captured Clifton and proceeded to inspect her magazine, accompanied by one of the ship's officers,



THE SURRENDER SCENE AT FORT GRIFFIN, SABINE PASS.

and discovered it safe and well stocked with ordnance stores. I did not visit the magazine of the *Sachem*, in consequence of not having any small boats to board her with. The Confederate States gunboat *Uncle Ben* steamed down to the *Sachem* and towed her in to the wharf. Her magazine was destroyed by the enemy flooding it.

"During the engagement I was nobly and gallantly assisted by Lieut. N. H. Smith, of the engineer corps, who by his coolness and bravery won the respect and admiration of the whole command. This officer deserves well of his country.

"To Assistant Surgeon George P. Bailey I am under many obligations, who, having nothing to do in his own line, nobly pulled off his coat and assisted in administering Magruder pills to the enemy, and behaved with great coolness.

"During the engagement the works were visited by Capt. F. H. Odum, commanding the post, and Maj. (Col.) Leon Smith, commanding marine department of Texas.

"Capt. W. S. Good, ordnance officer, and Dr. Murray, acting assistant surgeon, behaved with great coolness and gallantry, and by them I was enabled to send for reinforcements, as the men were becoming exhausted by the rapidity of our fire; but before they could accomplish their mission the enemy surrendered.

"Thus, it will be seen, we captured with forty-seven men two gunboats, mounting thirteen guns of the heaviest caliber, and about 350 prisoners. All my men behaved like heroes; not a man flinched from his post. Our motto was, 'Victory or death.'

"I beg leave to make particular mention of Private Michael McKeenan, who, from his well known capacity as a gunner, I assigned as gunner to one of the guns, and nobly did he do his duty. It was his shot that struck the *Sachem* in her steam drum.

"Too much praise can not be awarded to Maj. (Col.) Leon Smith for his activity and energy in saving and bringing the vessels into port."⁷⁹

⁷⁹ Report of Lieut. Frederick Crocker, United States Navy, written while a prisoner at Houston, September 12, 1863:

"The arrangements of the army being at last completed, the *Clifton* took up her position in the Texas channel and began to shell the enemy. The *Sachem* started up the Louisiana channel, followed by the *Arizona*,

General Magruder characterized this engagement as one of the most extraordinary of the war.

"The inquiry may naturally arise," says Hon. Jefferson Davis in his "Rise and Fall of the Confederacy," "how this small

and after grounding slightly entered the channel fairly and joined in the action as they moved up. The Granite City and the General Banks, with their anchors up, lay ready to follow. At the second discharge from the enemy's guns the Clifton, with a full head of steam, steamed rapidly up the Texas channel toward the battery. When the Clifton was about halfway up to the battery it noticed, with great surprise, that the Granite City and the General Banks were still lying drifting across the tide, making no attempt to follow. At the same time a shot from the enemy struck the Sachem's boiler, disabling her instantly and silencing her fire; but, depending upon the support of all the others, the Clifton kept on her course. In a short time, however, her wheel rope was shot away, and she grounded sooner than was expected and in such a position that only three of her guns could bear on the battery; and with these we kept up the fight, making every effort to get the vessel afloat; but before we succeeded a shot passed through her boiler and machinery, disabling her completely. Until this time every man stood to his post and the fight was progressing favorably; but the steam drove all the sharpshooters off the upper deck. Many, thinking the vessel was about to blow up, jumped overboard. At the same time the enemy got our range and their fire began to tell severely. The vessel twice caught fire and the men were falling fast. My executive officer (acting master Robert Rhodes) fell mortally wounded. Two other officers received wounds, and the men, noticing that no support was near, many of them became unsteady. Enough of them remained, however, to keep up a very effectual fire, which was being done with the faint hope that we might yet be supported, when I was met by two of my officers and informed by one of them that he had hauled down the flag and that we could not fight any more. With great indignation I ordered it hoisted again, and all to stand to their guns; but the example was contagious; with few exceptions the men had left their guns and were taking to the water. At the same time a shot from the enemy disabled one of our three guns, and the lock of another broke, the remainder of the crew firing it with a hammer. Under these circumstances, and seeing that the Arizona failed to push on, or the Granite City and General Banks to make the slightest attempt to support me, the enemy's fire becoming more and more deadly, deserted by all but a few brilliant exceptions, I deemed it my duty to stop the slaughter by showing the white flag, which was done, and we fell into the hands of the enemy. While the fight was thus progressing the commander of the Sachem sent to the Arizona an order to advance and take him in tow, but it was not obeyed. The Arizona lay nearly silent until the termination of the fight, and then turned and fled."

number of men could take charge of so large a body of prisoners. This required that, to their valor, they should add stratagem. A few men were placed on the parapet as sentinels, the rest were marched out as a guard to receive the prisoners and their arms. Thus was concealed the fact that the fort was empty. The report of the guns bombarding the fort had been heard, and soon after the close of the battle reinforcements arrived which relieved the little garrison from its embarrassment."

Capt. Henry S. Lubbock says: "After the raising of the blockade, January 2, 1863, how long I do not now remember, the Federals came into Sabine Pass, went on to the old fort and spiked the two smooth-bore guns there, and broke off their trunnions. Some time later General Magruder decided to send a company to the fort to place it in order. This company was the Davis Guards, commanded by Captain Odium, Richard Dowling first lieutenant. They were accompanied by an engineer officer from Louisiana by the name of Smith. The guns, with the help of a country blacksmith, were put in order by banding the trunnions. The boys placed two buoys at the juncture of Texas and Louisiana channels over the bar, at a distance of about 800 yards from the fort, and practiced nearly every week, and became very proficient. An expedition about this time was fitted out by the Federal government to capture Sabine Pass. This expedition was under the command of General Franklin, was supplied with several gunboats and many transports, and numbered 12,000 men.

"Steaming up the narrow channel, the Federals saw two men on the ramparts, and fired on them repeatedly, but without effect, as the men, at the flash of the guns of the men-of-war, would leap from the parapet into the casemate, and, when the shots had hurtled past them over the works, return to their posts. The vessels continued to approach. Their commanders were aware of the fact that the fort had been dismantled several months before, and had no idea that it had been again put in a condition to offer serious resistance. As soon as two of the vessels arrived at the points where the practice buoys had been so often shot at, the Confederate gunners opened fire, and so well was it directed that the ships were speedily disabled and compelled to hoist the signal of defeat. One was the propeller

Sachem and the other the sidewheel boat Clifton. While both vessels were struck a number of times, the principal damage to the Sachem was a shot in her boiler, and to the Clifton the cutting away of a portion of her steering gear,—injuries that rendered the vessels unmanageable and helpless.

“The affair at Sabine Pass occurred while I was doing duty in Galveston Bay. Though not an eye-witness to the action, I conversed, immediately after it occurred, with men who participated in it, and feel assured that the incidents related to me, and by me retold to the reader, are truthfully reported.

“I was sent by General Magruder to take charge of the prizes, as it was expected that the Federal fleet would attempt to cut them out. The fleet hovered about the entrance to the pass for some time; but, with the exception of one feeble night attempt, made no effort to re-enter the Pass, across one of the channels of which (at the lighthouse) I had swung the Sachem, to assist, if need be, in its defense.”

To properly appreciate the value of Dick Dowling's valiant achievement, we need only consider that, had the land forces of Franklin's fleet made a successful landing at Sabine, the victory would have served the purposes of the enemy even better than if he had first moved on Galveston and captured that city, for the reason that had a lodgment been effected at Fort Griffin, the enemy could have perfected organization and equipment and marched into the interior before we could have assembled and confronted him with an opposing force, a movement that he could not have executed from Galveston, as he could have been confined to the island until the whole strength of Texas could have been hurled against him. Sabine Pass was of further value to us from the fact that it was the most available port for running the blockade, and that it was saved to us, if nothing more had been accomplished, would have amply justified the congratulations and words of praise that were showered upon its defender by civil and military officials, press and people.

Had the Federal army landed there, it would have been between Taylor, Magruder, and Kirby Smith. “Had the landing been accomplished either at the Pass or below,” says General Banks, in a letter to General Halleck, “a movement would have been immediately made for Beaumont from the Pass, or for

Liberty if the landing had been made below, and thence directly to Houston, where fortifications would have been thrown up, and our line of communication and supplies immediately established at the mouth of the Brazos River, west of Houston, until we could have gained possession of Galveston Island and city. I should have had in ten days from the landing 20,000 men at Houston, where, strongly fortified, they could have resisted the attack of any force that it was possible to concentrate at that time. Houston would have been nearly in the center of the forces in and about Louisiana and Texas, commanding all the principal communications, and would have given us ultimately the possession of the State."

CHAPTER TWENTY-SEVEN.

Consul Theron, at Galveston, and Governor Pickens, of South Carolina — Gen. E. Kirby Smith to Minister Slidell in Paris on French Intervention — Maj. John Tyler's Memorial to the Governor of Texas — Governor Murrah — My Last Official Message and Address — The Military Situation — Commissioned as Lieutenant-Colonel in the Confederate States Army.

I have before me a printed letter, or circular, sent to me by Gov. F. W. Pickens, of South Carolina, addressed to the Governors of the Confederate States, under date of March 22, 1862, favoring a conference of the Governors to decide upon measures that would enable them to render more efficient support to the Confederate government. He stated that in this way definite knowledge could be obtained as to the resources of the several States for the manufacture of munitions of war, and an agreement reached as to the currency issued and circulated by each; that necessary measures could be adopted with regard to blockade-running, and that a plan could possibly be devised for the organization of the militia and the forming of a great central camp of 100,000 men, to be drilled and held in readiness for any emergency. Governor Pickens then went on to say: "There may be interposition of foreign powers, but it will be after both parties are so exhausted that they will be able to interfere as quasi protectors. Under the treaty by which the first Napoleon ceded Louisiana, the protection of property and personal rights was guaranteed to the citizens of the ceded territory. The time may come when the present sagacious emperor of the French may interfere and assert the doctrine that the country west of the Mississippi was ceded to the United States as a government, and that, as such a government may be destroyed by being broken into separate combinations, and also that the rights of persons and property may be destroyed, he will interfere and assume the exercise of the power resulting from reverted, or lapsed, sovereignty.

" . . . All these foreign issues that may arise will be deeply important to us. . . . No human sagacity can see at present what may be before us.

"It is clear, in any point of view, that our very existence as a free people is now immediately involved in the terrible conflict upon which we seem to be just entering."

I was too intent on the prosecution of my proper labors in looking after the interests of my own State, and in giving aid to the Confederate authorities in the way they had asked for it, to engage in any outside work, and I declined to consider the proposition. In my reply to Governor Pickens I said:

"We are entirely isolated from our sister States, having no railroad communication or other means of speedy intercourse. Texas is doing all she can to comply with every requisition made upon her.

"I am happy to state that instead of 6 per cent of the white population (the quota required), we have in the service about 12 per cent. She has to protect her coast and frontier, and to-day we have not a soldier in service within the State that does not reside within her territory.

"From the isolation of our position, we must be self-reliant, and should the invader come, Texas must meet him alone and unaided. We know this; still our men are rushing to Arkansas, Tennessee, and Virginia, and with them they take what arms and ammunition they can control.

"Under these circumstances she cannot enter into any arrangements with the States outside of her duties to the general government. Rest assured, sir, that we have every confidence in the general result. We well know that gallant South Carolina will perform well her part in the great struggle, and I venture to say Texas 'will keep up her corner.'"

A few months later I received a letter (dated August 19, 1862) from B. Theron, the French and Spanish consul at Galveston. I thought I saw in the letter a bid for French intervention in the affairs of Texas as a power independent of the Confederacy. I repelled the idea with scorn.

I replied, September 9th, to the note of M. Theron, as follows [the unimportant paragraphs are omitted]:

"In answer to your first interrogatory, permit me to say that the annexation of Texas to the United States was a good political measure.

"As to your second question, I answer most emphatically that

the act of disunion and of the junction of the State of Texas to the Southern States was a good and proper political step.

"In reply to your third inquiry, I have to say, the re-establishment of the old Republic of Texas will not be beneficial to our beloved adopted country.

"Texas has linked her fate with those of her sisters of the South. She will be true, steadfast, and victorious."

This done, I, on September 11th, enclosed Theron's note and my reply thereto in a letter to President Davis, in which I said:

"I have the honor to forward for your consideration the enclosed copies of letters, the one marked A from the French and Spanish consul at Galveston, the other marked B being my reply thereto.

"As the proceeding of the said consul would seem to indicate an incipient intrigue, I have deemed it proper to advise you thereof on the threshold."

As the result of this piece of official impertinence, Theron was expelled from the Confederacy by President Davis, as Genet, for a like offense, had been expelled from the United States.

As to French intervention, Gen. E. Kirby Smith the next year (1863) in a letter to John Slidell,⁸⁰ our agent in Paris, said in part:

"The action of the French in Mexico, the erection of an empire under their auspices, makes the establishment of the Confederacy the policy of the French government. The condition of the States west of the Mississippi, separated from the general government at Richmond; the exhausted state of the country, with its fighting population in the armies east of the Mississippi; the vast preparations making by the enemy to complete the occu-

⁸⁰ General Smith most probably did not act in this matter without the sanction of the Confederate government. And Major Tyler's paper, submitted a few weeks later to Governor Lubbock, embodying practically the same ideas, confirms the view that the policy of inaugurating a movement to bring about French intervention had at least the secret approval of President Davis. It was evidently the only policy that could ensure Confederate independence. Had England and France set the Confederacy on its legs there would have been a *perpetual* French empire in Mexico, and *perpetual* British dominion in Canada. It was their last opportunity to secure or maintain a foothold on this continent. ED.

pation and the subjugation of this whole Western Department, are all matters which, if properly brought before the French emperor, should influence him in hastening the intervention of his good services in our behalf. This succor must come speedily, or it will be too late. Without assistance from abroad, or an extraordinary interposition of Providence, less than twelve months will see this country irretrievably lost, and the French protectorate in Mexico will find a hostile power established on their frontier, of exhaustless resources and great military strength, impelled by revenge and the traditional policy of its government to overthrow all foreign influences on the American continent. . . . The barbarous conduct of the war by the enemy calls loudly for the interposition of those powers who really hold the destiny of our country in their hands."

One week before my term of office expired, John Tyler, son of ex-President Tyler, came to Austin, and addressed to the Governor of Texas, the Governor-elect, and those in authority, a voluminous and ably written paper contending that, as Texas was a part of the Louisiana territory sold by France to the United States, and that, as in the treaty Bonaparte had stipulated that the inhabitants should be protected in their lives, liberties, and property (all of which were then assailed), they had a right to appeal to France for protection, and that the then Bonapartist emperor of the French would gladly take advantage of the opportunity to interfere in their behalf. He said that the States of Louisiana, Arkansas, and Missouri, being bound hand and foot, Texas (free from the invader and still proudly defiant) was alone in position to make the appeal, and should make it without delay. Many pages of beautiful English were wasted by him to no purpose. No Texan seriously entertained for a moment the idea of abandoning the Confederacy, or any portion thereof, to continue without the aid of his State the desperate struggle which all had entered together, in which all were engaged, and that according to the rules of honor, as interpreted by our people, must bring victory or bring defeat to all.⁸¹

⁸¹ Mr. N. L. Norton told me in February, 1900, in substance that he attended Maj. John Tyler from General Price's headquarters in Arkansas in the fall of 1863, to Austin, with instructions to secure if pos-

As to Texas, she needed no foreign bayonets to protect her soil; that, her own sons had demonstrated their ability to do; and besides, she had been gallantly represented by regiments, composed of her bravest and best, on every battlefield from New Mexico to Virginia.

I and others were still confident that the Confederacy would be victorious, and to effect that consummation devoted our every energy, wasting no time or strength upon utopian schemes.

If the aid of the French or any other European power was to be secured for the Confederacy, it could be secured by the Richmond government in more adequate form and upon better terms than it could be obtained by a single State or any number less than all. So believing, I transferred the consideration of that subject entirely to that government.⁸²

sible suitable action upon the part of the Texas authorities to bring to a head the proposal that it was said Marshal Bazaine was ready to make in Mexico looking to French intervention in our behalf. These gentlemen were several weeks the guests of Mr. James Bouldin, living on the south side of the river opposite the capital. Mr. Bouldin approving the plan, Major Tyler prepared his argument, writing at it from day to day. When completed it was read and approved by all; a copy was taken, and the original presented by the gentlemen to Governor Lubbock in person. The Governor received them courteously and listened attentively to the reading of the document; but said the matter was of too grave a character for him to act upon without consulting President Davis, and that would be impossible for him to do, as his term of office would expire in a few days. Mr. Norton, now a highly respected citizen of Austin, was then a captain in the Confederate army. He believes that an alliance could have been effected between France and the Confederacy had Texas promptly taken the initiative.—ED.

⁸² I have carefully read Major Tyler's paper, in the office of the Secretary of State. It is an able argument, designed to prove that the Confederacy, unless aided by some European power, was certain to be crushed sooner or later: that an opportunity for securing help through an appeal to France for intervention to maintain the terms of Napoleon's treaty ceding Louisiana to the United States was now afforded; that Missouri, Arkansas, and Louisiana being overrun by the Yankees, it devolved upon Texas to make that appeal on behalf of herself and her downtrodden and helpless sister States. This did not imply desertion of the Confederacy, as, had intervention been secured in behalf of the States carved out of the Louisiana purchase, its benefits, through a Franco-Yankee war, would have inured to the whole Confederacy.

The French authorities in Mexico, having no pretext founded on an

No Democratic or other State conventions were held in 1863. Hon. Pendleton Murrah and Judge T. J. Chambers were the candidates for Governor before the people, and at the election in the fall of that year Mr. Murrah was chosen over his competitor by a handsome majority.

The Tenth Legislature met November 2, and a few days thereafter I sent in a message, in which I said in part:

"The mighty contest in which is involved, on our part, our property, lives, liberty, and honor, has progressed, since your adjournment, checkered with alternate successes and reverses to our arms. In the general summing up, however, of results, we have no reason to despond or falter.

"The war has, nevertheless, assumed gigantic proportions, demanding sacrifices on the part of all; our people are unalterably fixed in the determination to prosecute it to the bitter end, and never to yield while a man is left to strike a blow for freedom. As the contest lengthens our armies become more experienced and efficient in the varied and difficult requirements of active warfare, and their present condition, if supported as the necessities of their situation demand, is such as to inspire us with a just confidence in their power to successfully resist the hosts of the enemy.

"It is true that Vicksburg and Port Hudson are both in the enemy's possession; their defense was alike honorable to their respective garrisons, and conferred additional luster upon the Southern name. Those positions were wrested from us, not by the prowess of the enemy's armies, but by the total exhaustion of our magazines. The gloom that for a moment overshadowed the minds of our people upon their loss was quickly dissipated before the inherent courage of the Southern race, which rose equal to the emergency. The results to the enemy have proved wholly inadequate to the great sacrifices made by them in securing those points, and to-day, with those positions in their hands, the navi-

appeal for intervention from Texas, soon assured United States Minister Corwin that France would not interfere in the affairs of the Confederacy, and the main Yankee army was withdrawn from southwestern Texas to enter upon the Red River campaign of 1864. Upon what small threads great events hang! Had Governor Murrah met the French overtures vigorously and with wisdom, there might have been a Southern Confederacy now. —Ed.

gation of the Mississippi is to them a myth. We could well afford to fortify several such places and surrender them upon the same terms as Vicksburg and Port Hudson.

"The occupation of those fortresses in a degree separates the States of the Trans-Mississippi Department from their sister States east of the Mississippi, and we must contend at present alone against the numerous armies of the enemy thrown against us upon this side of that river for our subjugation. Their forces are in possession of Missouri, of a large portion of Arkansas and Louisiana, and their standards are nearly advanced to the borders of Texas. The executive has exerted the power to the extent vested in him by law to call forth the resources of the State to meet the crisis that is upon her. The whole resources of the State, both in men and means, are, however, demanded by the exigencies of her position, and it is for your honorable body to take such measures as will develop them to the utmost, and bring them into effective operation for the safety of the State and the success of the general cause. Without such vigorous action, it is to be feared unnumbered calamities and misfortunes will be the penalty of our supineness and want of patriotism; and Texans must rise in their might, as one man, with one sole resolve—to be free, or perish with the land of their birth and adoption! Thus animated, we shall conquer, and Texas will be the grave, not the inheritance, of the invader.

"The ranks of the brave men in the field have been thinned by disease and the sword,—they look to you to call forth the resources of the State to aid them in saving the country, and save them from being crushed by the superior forces and means of the enemy.

"The States west of the Mississippi River have fighting men enough in arms and those capable of bearing arms, together with resources amply sufficient to protect, defend, and drive from their territory the last Yankee soldier that may invade us; but to effect this we must realize the fact that the country is at war; private affairs must cease to occupy so much of our attention; we must all be stimulated with a patriotic determination to be free, and to rid our soil of the foul presence of our hated enemies.

"The swarms of men engaged in profitable business on their

own account, who are exempted from or avoid military service upon one pretext or another, the thousands occupied in driving teams and cattle for the government and government contractors, must be placed in their respective companies and replaced with negroes. The able-bodied soldiers and employes about the posts and towns must take the field, and their places be supplied by the old, the very young, and the infirm.

"The Confederate Congress and the Legislatures of the several States must do away with all exemptions and substitutions,—convert every man in the country into a soldier until this war is over. Instead of exempting men, let them, when necessary, be detailed to perform such duties as may be required of them. The Confederate Congress, in passing an exemption law, did so for the public good, and not to subserve the private interests of the individuals exempted. Unfortunately, most exempts appear to have come to the conclusion that it was some particular favor granted to them, and they have used their position as exempts, in too many cases, entirely for their personal benefit and advancement. . . .

"Time has demonstrated that exemption from military service has proved of doubtful policy, and worked an injury to our cause. I trust this policy will be at once abandoned.

"The practice of allowing men to furnish substitutes has been a great bane to the army; every man capable of doing military duty should represent himself in this great struggle. The result of permitting substitutes is, that those who wish to avoid service, and have means, can bid the most exorbitant prices for the service obtained, and to such an extent has it been carried that small fortunes are being paid to secure a substitute, rendering it exclusively beneficial to the wealthy.

"There are a large number of people among us who are entirely devoted to the wild hunt after wealth.

"This mania is confined to no particular class, but pervades all occupations and employments. It embraces the shopkeeper, the planter, the farmer, stock raiser, the professional man, mechanic, minister of the gospel, and in some instances the soldier himself. I blush to say that in Texas, where we have thousands of surplus bushels of corn, wheat, barley, oats, rye, etc., with no enemy in our midst robbing, burning, and destroying our

property, these articles are higher than in our sister States, in part occupied by the enemy, and that Confederate treasury notes are less appreciated than in any State of the Confederacy.

“In March last, Major-General Magruder requested of me the use of the penitentiary as a place of confinement for the prisoners of war in his district. I acceded to his request, conditioned that such use should not impair the material interests of the institution. I wrote to this effect to the superintendent and authorized him to receive the prisoners, if he was satisfied the material interests of the institution would not suffer. The prisoners were received some time in the later end of April or beginning of May. Subsequently doubts arose in my mind as to the propriety of the step, solely, however, upon the ground of risk to the establishment, and not as to the propriety of its use as a place of confinement for prisoners, the enemy having frequently incarcerated our soldiers in such places. I thereupon addressed Brigadier-General Scurry, requesting their withdrawal, which was done. In the month of October I received two communications from Major-General Magruder, again urgently requesting its use for the safe keeping of Federal prisoners of war taken at Sabine Pass. Many very important reasons were adduced by him in support of the measure, but none sufficient, in my judgment, to overcome my previous objections, and which I yet entertain, viz., the risk of destruction to the sole manufactory of cloth west of the Mississippi River, of incalculable importance, therefore, to the armies of the Trans-Mississippi Department. I declined his request. I respectfully ask the Legislature to take into consideration the propriety of using the penitentiary for such purpose. . . .

“In calling for 10,000 men to fill the last requisition made upon me by the commanding general of this district, I was of opinion the time had arrived when the necessities of the country demanded the services of every man liable under the military law. I therefore directed all aliens to be enrolled and subjected to the draft. I am clearly of opinion that they are liable under the law. Many protests have been filed with this department, and various parties, representing themselves as foreign consuls, have made applications for the release of individuals as subjects of foreign powers. Their liability to draft resting solely on the

question of domicile, I have left them to pursue their remedy through the courts, in the meantime retaining them as State soldiers.

" . . . I had hoped that ere this an occasion would have offered when I could with safety to the frontier have transferred the frontier regiment to the Confederate service. I have never, however, received such assurances of its continuance on the line, or the replacing of it with other efficient troops, as would justify me either in transferring or disbanding it; hence it has been continued in State service. This little command has been charged with the defense of a line nearly five hundred miles in length. That it has not accomplished this duty to the satisfaction of all those most deeply interested is not to be wondered at. I doubt, however, if any other regiment similarly situated could have done better. . . .

"I regret to say that for several months past the depredations have been very frequent. Murders have been committed and horses stolen. I fear the Indians have been instigated to these acts by our barbarous Yankee enemies and the renegade whites among them. My views in regard to our Indian enemies are now as they have ever been. We can hope for no peace with them until we are in a position to dictate terms: and to do this we must pursue them to their own homes, chastising them with a heavy hand. . . .

"In calling out troops I have in some cases exempted the frontier counties and held their men for local defense. I have authorized the formation of minute companies in them, to be composed of furloughed conscripts and those liable to State service, for the protection of the families in those exposed regions. These organizations are progressing and will, I trust, render efficient service. The establishment of the northern sub-military district of Texas by the Confederate authorities, and the concentration of troops in that vicinity, will, I believe, aid materially in the general protection of the frontier. . . .

"In view of the isolation of the States west of the Mississippi River, whereby they are thrown upon their own resources, and the great difficulties attending the receipt of arms and munitions of war from east of that river, I most earnestly recommend that an appropriation of not less than \$1,000,000 be made, based upon cotton bonds, or that cotton be purchased, to be paid for in

bonds; and that the sum so appropriated be invested in arms and munitions of war for the benefit of the State. Arms and munitions could be thus speedily procured, and would enable us successfully to resist an invasion by the enemy. . . .

"I can not close this, probably my last official communication to any Legislature of Texas, without again congratulating you on the general prosperity of our State. Texas has indeed cause to be thankful to Divine Providence for the many evidences of His sustaining arm exhibited during the progress of this great contest. She has been blessed with abundant harvests and unparalleled health; and in every instance in which our people have been called to meet the ruthless invader their gallantry, with the aid of God, has been rewarded with entire success. Were it not for the great loss we have sustained in our brave men who have fallen by the sword of the enemy, and alas, too many by disease, we could scarcely realize the dreadful scenes that have been enacted in other portions of the Confederacy. Her internal affairs are in a most prosperous condition, and our State finances present a most encouraging view for a people engaged in so great and exhausting a war. . . .

"We must be united,—we must be as a band of brothers,—we must and will sustain the patriotic and intellectual statesman at the head of the government, the gallant commanders, and their chivalrous soldiers. We will sustain the families of those bravely doing battle for our country—we will forget our private interests—we will forego the love of money, ease, and luxury—we will all pledge ourselves to do these things, rally around the standards of our bleeding country, and continue to strike as long as an armed Yankee stands upon our soil."

My term of service as Governor of Texas having drawn to a close, I, upon the occasion of the inauguration of my successor, delivered a parting address, in the presence of the assembled representatives of the people and a large gathering of citizens, met together within the walls of the capitol. Many ladies graced the hall with their presence and lent inspiration to the moment. In my address I said, among other things:

"Two years ago, called by the partiality and suffrages of the people of Texas, I, upon this stand and in this building, in the presence of Almighty God, assumed to discharge the important

duties incumbent upon me as the chief executive of the noble, chivalrous, and patriotic State of Texas.

"In accordance with their mandates, and in obedience to the Constitution and laws, I am here to-day to surrender those trusts into the hands of the people, and of the distinguished citizen who is entitled to assume them.

"In this crisis we may esteem ourselves fortunate in being thus peaceably permitted to assemble and witness our State government pursuing its usual functions, without the fear of interruption from the abolition despot and his Hessian soldiery.

"On that occasion I swore 'to faithfully and impartially discharge and perform all the duties incumbent on me as Governor, according to the best of my skill and ability, agreeably to the Constitution and laws of the State of Texas, and also to the Constitution and laws of the Confederate States of America, so long as the State of Texas shall remain a member of that Confederacy.' In strict compliance with that obligation, I have studiously endeavored to discharge every duty incumbent on me. That I have acted faithfully and impartially, I know full well. In the troublous times that have encompassed us since my elevation to office I could scarcely hope to conduct the affairs of a State like ours, so extensive in territory, so diversified in interests, with an exposed frontier extending from Red River to the Rio Grande, with such skill and ability as to give universal and entire satisfaction.

"While I have earnestly sought to discharge all the duties imposed on me as chief magistrate of the State, I most freely admit that the great war in which we are involved has engaged the most of my time and energy. On entering upon the duties of my office, I was fully impressed with the many responsibilities I was assuming. I felt satisfied the war would be prosecuted by our enemies with all the fiendish barbarity they have shown themselves so capable of inflicting upon a people so superior to them in all that constitutes manliness, virtue, and chivalry. I was convinced that no means would be left untried to reduce the people of the Southern States to the condition of 'hewers of wood and drawers of water' for their Yankee taskmasters, and that, failing in all else, they would seek finally to raise a servile war in our midst, with the hope of ultimately subjugating or an-

nilhilating us. I have not been mistaken; and if to-day every city, town, village, and farm yard is not red with the blood of our women and children, shed by our servile population, it is not because our more than savage and despicable foes have not desired and attempted to accomplish it. The evidence of their hellish design they have themselves unblushingly proclaimed to an indignant world. The skill and bravery of our generals, the energy and heroism of our men, have thus far baffled the fiendish purpose.

"To-day our cause looks brighter than it has for many months past. In every attempt of the enemy to penetrate our State he has been signally repulsed. The invincible army of Rosecrans, as vauntingly termed by a boastful press, has met with a disgraceful and disastrous overthrow,⁸³ while the army of Meade is reduced to a painful defensive for the protection of the Northern capital. Our gallant little corps in Louisiana, strictly composed of Texans, harasses him continually. Charleston the 'Doomed City,' still defiantly answers the thunder of his guns, peal for peal, her citizens evincing a determination to bury themselves in her ruins rather than yield. Our armies everywhere are strong, in excellent condition, well fed and clothed. We are daily improving in the production of supplies at home for the use of our people and army; munitions of war in abundance are being manufactured within the Confederacy; our people are rising daily equal to the emergency of the times, and becoming more self-reliant and defiant.

"A spirit of resistance is seizing hold of the very young and old that will ultimately place every man able to bear arms into the service of the country. They are schooling themselves to believe that nothing can be valuable to them, or be worth living for, unless our independence is secured.

"The noble women, too, of our country are ever in advance of the men. They are imbued with the conviction that submission would leave them the slaves of most miserable and cowardly taskmasters,—that they would be forced into association with a people whom, from their cowardly and brutal atrocities, they have learned to hate and despise. Hence they are prepared to make every sacrifice on the altar of freedom,—hence it is that

⁸³ At the battle of Chickamauga.

their wealth is freely lavished,—that we find them in the cities and towns as well as by the roadside, ministering with tender and devoted care and assiduity to the necessities of the sick and wounded soldier; that we behold them, morning, noon, and night, sewing, knitting, weaving and spinning for the ‘brave soldier boys;’ finally, they give up to their struggling country their fathers, husbands, brothers, sons, and lovers, preferring to be orphaned, widowed, and brotherless to seeing their country overrun and reduced by a people as demoralized, infidel, and barbarous as our Northern foes.

“With such spirit and determination animating our people, we have nothing to fear.

“I presume that most men in the South feel as I do. I know that secession was a necessity forced upon the South and undertaken that her freedom might be preserved, and, in assisting to bring about that measure, I felt that, as a good and true man, I from that day belonged to my country; that, whatever adversities might follow that step, as an honest man and a patriot, I should bear them without a murmur; that all I possessed of ability, energy, time, property, aye, life itself, all belonged to the country, and when called for, must be laid upon the altar of freedom. I resolved that, whilst this war lasted, all private enterprise should be abandoned and that it would be a fraud upon the people, and a crime against our sacred cause, to neglect public duties for the pursuit of private aggrandizement.”

I then spoke in appreciative terms of the men who, in the beginning, favored longer continuance in the Union but later turned loyally to the defense of the State and the South when the decisive step of separation had been taken in obedience to the judgment and legally expressed will of a majority of their fellow citizens. Continuing, I said:

“I have long since risen to the magnitude of the contest in which we are involved. I believe that war! war! war! should be our all-absorbing business until we have conquered our independence; and while I would confine myself, and wish to see all in authority keep themselves, within the limits of the Constitution, I would have legislators, governors, judges, and people feel that it is imperative on them to make laws and execute them, whereby that Constitution, our property, our freedom,

will be preserved. I have felt that it was no time 'to fiddle while Rome was burning.' I have felt that these were not times in which to be over-punctillious, letting the cause of the country perhaps suffer whilst discussing points of military usage or etiquette.

"When I entered upon the discharge of my duties, I determined to cherish, foster, and aid the Confederate government in the prosecution of this war in every way I could legitimately; I knew the people so desired—the Legislature so indicated. I resolved it should never be said that I held back men or means as long as I could control and furnish either in aid of the war. I am proud of the conviction that, during my administration, I have furnished more men than have been called for."

After stating that Texas, when called upon, would in my opinion be able to furnish still further troops, if proper measures were taken in advance looking to that end, I reminded the Legislature of the obligation that rested upon it to enact effective laws to put every available man in the service; do away with all exemptions; provide penalties for desertion; force aliens to serve for home defense or leave the country; punish disloyalty; confiscate the property of all who had left or might thereafter leave to avoid service; limit the rates of profits on merchandise and the price of articles of prime necessity, and impress the goods of all extortioners, monopolizers, and engrossers, when needed for public purposes or the support of soldiers' families.

I urged the ladies to continue in their good work of encouraging our soldiers by word and deed. I stated that I severed my official connections at the capitol with regret, and that in doing so I desired to pay a public and just tribute to the fidelity and capacity of my associates.

In referring to the severance of social ties, I said: "I can but admit that I do regret to give up many pleasant associations connected with my temporary sojourn at the capital. With all the cares and responsibilities resting upon me, my time has been agreeably spent. Kindness has never been more universally extended in any place, or in any community, than has been bestowed upon me and mine by the people of Austin. So long as memory lasts, the friendships, attachments, and associations formed here will cling to me and mine with pride and pleasure,

and in my future life I shall endeavor to so carry myself, in whatever position I may be placed, as never to forfeit the friendship and esteem of those who have so confided in and treated me."

I truthfully declared that I retired from office with something to be prized better even than the approval of my constituents,—the consciousness of having faithfully, honestly, and impartially discharged my duty.

In concluding, I announced that it was my intention to continue in the service of the country till the end of the war.

The evening of the day, November 5, 1863, that my term as Governor of the State expired, I surprised my friends by appearing at the inaugural ball of Governor Murrah in the uniform of an officer of the Confederate army. I had received the appointment of assistant adjutant-general, with the rank of lieutenant-colonel, from Gen. E. Kirby Smith, commanding the Trans-Mississippi Department; the appointment to take effect November 5, 1863. In notifying me of my appointment, General Smith wrote me, under date of October 22, 1863, from Shreveport, La.:

"I enclose you an appointment as lieutenant-colonel in the adjutant-general's department. This is the highest appointment that has ever been made in any of the staff corps of the provisional army.

"In enclosing this appointment, let me thank you for the hearty co-operation you have ever given, and for the zeal and self-sacrificing patriotism you have displayed in the true interest of the Confederacy, while exercising the functions of chief executive of your State."

My appointment was approved by the President and confirmed by the Senate, March 16, 1864.

In retiring from the governorship, I did so with the consciousness of having performed my duty fully. With all my energy, I worked at the diversified duties of my office: The frontier defense, as if the safety of my scalp depended upon success: the penitentiary, as if I were to be sent there if its manufactories were not made useful to the fullest extent: the organization of troops, as if I expected to march at their head for military glory: the comfort of the families of soldiers, as if they were all personally my friends: the protection of the coast, until we had a manufactory for heavy ordnance and the State owned the Bayou

City, that did good service in our waters; the distilleries, with as much enthusiasm as a prohibitionist (that we might have more and cheaper bread, and better disciplined soldiers). I gave attention to the home arrangements for women to weave and spin (procuring cards and thread to make clothes for their husbands and children); to the comfort of the sick in hospitals, as well as our soldiers in the field. Nor did I overlook the blind, deaf and dumb, and insane institutions, though, of course, they were not supported as in peaceful times. In every respect, military as well as civil, I duly considered the importance of economy in the expenditure of all public funds.

As soon as the control of the Mississippi was lost to us, all the energy I possessed, all the arguments I could advance, all the influences I could bring to bear were exerted to solidify the States west of that river in an earnest and determined adherence to the cause of the entire South. My whole heart and soul intent upon the successful termination of her struggle for independence, I was no stickler for any particular plan, stood not foolishly upon my dignity, or for that of any other person. I was not squeamish⁸⁴ how affairs made progress by this plan, or by that, if they were honorable. I only wished them to move onward to victory for the Confederacy.

I was on friendly terms with all of the commanders of Texas and of the department of the Trans-Mississippi, and conferred freely with them, and, asked or unasked, advised as I thought best for the public good. If they called for men, I got them; if for anything else that the State could furnish, they were welcome to have it.

And though we were defeated and had to go through the ordeal of reconstruction, and while I am content with the issue of events, more especially so as the Democratic party is in control of the South, and its liberties are therefore secure, I look back upon the past with pride, and not regret, for its story, rightly told, will challenge the admiration of mankind as long as civic

⁸⁴ There was nothing that showed Governor Lubbock's singleness of purpose in his devotion to the public interest more clearly than his hearty acquiescence in all measures tending to this end without raising captious objections or constitutional questions. His motto was to win our independence first and the hair splitting legal quibbles could be settled afterwards.—Ed.

virtue and Spartan valor shall find admirers upon the earth, and a single worshiper shall bend before the shrine of constitutional liberty.

The struggle on the part of the Southern people was a righteous one, and bravely and grandly made. As a participant in it I sought to do my full duty. My recollection of its incidents, and of the heroes, statesmen, patriots, and soldiers who moved amid its stormy, shifting, and trying scenes, are treasured as the holiest memories that remain with me to stir the pulses of my heart and cheer the closing hours of my declining life. The blood, the heart, the brain of the grand old Confederate host that made such a heroic struggle for their States' rights in the sixties, is the heritage of their descendants, who will, I trust, make the South, if not *like* the Old South in manner, *like it in spirit*—brave, noble, and honestly intelligent.

CHAPTER TWENTY-EIGHT.

Banks' Expedition to the Rio Grande — Colonels Haynes and Davis and Governor Hamilton — My Assignment to Duty on Magruder's Staff — Our Need of Arms — Confronting the Enemy on Matagorda Bay — Baptism of Fire — No French Intervention — Change of Base by the Enemy.

The Yankees, driven from Galveston and foiled at Sabine Pass, fitted out an expedition under General Dana to proceed to the Rio Grande for the purpose of invading Texas from the west. After a stormy passage of a week's duration, the fleet, with the Thirteenth army corps, arrived off Brazos Santiago in bad plight.

On landing, General Banks, who accompanied the expedition, sent the following dispatch to General Halleck and the President of the United States: "The flag of the Union floated over Texas to-day (November 2, 1863) at meridian precisely." This declaration was intended to make known to the world that Union troops were on the soil for the purpose of subjugating Texas, and was in the nature of notice served on the French to keep hands off. Frank Gildart, a Texan refugee who deserted to us immediately after landing, reported that the Yankees had lost on the trip three steamboats, four schooners, all their artillery except two six-pounders, and all their horses except about 100, but had preserved and brought in with them all their ammunition. There was other and corroborative evidence that the voyage had been disastrous. Banks subsequently expressed the opinion that he could not have effected a landing if as determined resistance had been offered as that encountered at Sabine Pass. He met with no opposition at Brazos Santiago.

On the enemy's advance to Brownsville General Bee evacuated that post and fell back to the Confederate line of frontier defense, carrying with him an immense quantity of government stores.

With Dana's expedition were the regiments of Colonels Haynes and E. J. Davis, about 750 men all told. Haynes' regiment was known as the "Mustangs." These officers expected to fill up their skeleton regiments to their maximum strength

with Texan renegades, but in this anticipation were somewhat disappointed, as this class as a rule were in extremely destitute circumstances, or burdened with the care of families, and did not care to enlist in the army. A. J. Hamilton, who had remained in New Orleans till advised of the Federal occupation of Brownsville, repaired promptly to army headquarters on the Rio Grande. He had been, on the intercession of Governor Gilmore, of New Hampshire, reappointed by President Lincoln military governor of Texas, and he proposed at once to assume the functions of his office. On his demand the Governor of the State of Tamaulipas extradited one of the Confederate Texans who had abducted from Mexican soil and executed one Captain Montgomery, claiming to belong to the United States army; but for want of civil tribunals to try the case the prisoner was turned over to the military authorities for final disposition. Hamilton's bull-headedness soon made trouble with the Mexican authorities on the Rio Grande, and the ridiculous farce of a government possessing no power outside the range of Federal guns came to an untimely (or rather timely) end, "unwept, unhonored, and unsung."

Banks' plan of campaign being now to invade Texas from the Rio Grande, his ships proceeded rapidly along the coast eastward, driving inland or capturing small Texan garrisons. Point Isabel and Corpus Christi were occupied, the works at Aransas Pass captured with about 100 prisoners, and Fort Esperanza, commanding Pass Cavallo, the entrance to Matagorda Bay, taken, the garrison escaping. Gen. C. C. Washburne commanded a division of 6000 veterans, operating in the country about Matagorda Bay.

On the advance of the Yankees General Magruder moved his army westward to meet them. After making a tour of inspection of his lines with his staff as far westward as Victoria, he returned and established his temporary headquarters at Rugely's plantation, on the San Bernard. It was here, early in December, that I found General Magruder and took my place on his staff as assistant adjutant-general with the rank of lieutenant-colonel.

The general had already, by proclamation, disclaimed any in-

tention of abandoning the western⁸⁵ country, and boasted of his strong works near San Antonio and Austin, lately constructed by impressed slaves, and proposed to dispute every inch of ground with the invader. The enemy took Magruder at his word, and soon slowed up to a dead halt in his front. In apprehension of the worst, Col. Stephen H. Darden was ordered to destroy the railroad from Indianola to Victoria, and thus impede the advance of the enemy inland. The circumstance that constrained us in our operation more than any other was the lack of arms. To secure 16,000 Enfield rifles just released from seizure (by the French government) at Vera Cruz, General Magruder made an earnest appeal to the Cotton Bureau through Col. W. J. Hutchins, saying: "These arms from Vera Cruz, if we get them at all, will come in lots of about 1000. They may cost as high as \$60 each; but cost what they may, we must have them. The State of Texas and the whole Trans-Mississippi Department are in the greatest peril.

"Every other interest must yield to this paramount necessity. . . . There must be no delay and no obstacle of any nature interposed to protract or endanger the accomplishment of this purpose. At the present price of cotton and present value of our currency, it will require an immense amount of cotton to pay for the arms. I presume the price of cotton in specie at Houston is about 4 cents per pound; in our currency, about 40 cents. . . . In strict confidence, all that portion of our troops which are armed at all are badly armed, and fully one-fourth of the army are entirely without arms."

To another agent of the Cotton Bureau, James Sorley, of Houston, he wrote, December 21st: "On the subject of arms, I must say that the safety of the country demands them at any sacrifice, and that no time is to be lost. I have thousands of men entirely unarmed. . . . So great is the need, that all the cotton in Texas should speedily be sold (if possible) by the government for 30,000 stand of arms and their appropriate ammunition. We can exist without other things, but can not without arms."

A few small lots of arms were procured at intervals, but noth-

⁸⁵ These works at Austin on the heights south of the river remained undisturbed for years, as reminders of the war.

ing like enough to supply our needs, and what we did have were of inferior quality. This irremediable condition ultimately proved fatal to our cause. The Yankees in our front were well supplied with arms and everything else necessary for campaigning, and outnumbered us more than two to one.

Under these untoward circumstances demoralization spread rapidly in the Confederate ranks, followed by desertions; but a prompt check was put to desertions by the enforcement of measures adopted for that purpose.⁸⁶

General Magruder was very active in inspecting our lines and reconnoitering the movements of the enemy. With his staff, and sometimes a small escort, he was almost every day in the saddle, visiting our outposts to ascertain the strength of our positions and the spirit of the troops. In this way, early in December, we traversed the Old Caney country, stopping awhile at Hawkins' plantation and other hospitable places, and inspecting the works on the San Bernard. In returning we visited Velasco, everywhere finding along the front our gallant boys ready and eager for combat. The Yankees were quiet, perhaps awaiting reinforcements. Consequently there was little picket fighting. Notwithstanding this lull, we kept strictly on the *qui vive*, holding ourselves in readiness to move at the word of command.⁸⁷

Never, in the pressure of civil business, had I neglected, when unavoidably absent, to write to Mrs. Lubbock; nor did I now omit to do so amid the exacting duties of the camp. Our married life, extending over nearly thirty years, had been a happy one. Realizing her anxiety, I wrote quite frequently such letters

⁸⁶ "Capture them" [i. e. deserters] ordered Magruder, "and bring them with their hands bound to these headquarters. Shoot them down to a man should they resist or refuse to surrender, or attempt to make their escape after being captured."

⁸⁷ "Sioux," the war correspondent of the *Galveston News*, under date of December 12, 1863, in the saddle, Matagorda County, thus describes the situation: "Everything is in the dark yet as to the plans of the enemy. . . . We have seen many of the more distinguished Texans now in the field. . . . We have met Lieut.-Col. Frank Lubbock, just out of the gubernatorial chair. He is in full uniform and I expect to see him do wonders when he meets the enemy, and if he can win as many laurels in the field as in the ranks of civil life, as displayed in piloting Texas, he will do more than his friends expect of him."—Ed.

of cheer and hope as I could under the circumstances of our enforced separation.

With their increasing numbers, the Yankees a few weeks later in January became more active, and from their ships shelled at various times our works at the mouths of the Caney, San Bernard, and Brazos rivers. We managed, however, to hold our own at these places, and to drive off their ships, with some damage, doubtless. Our river fleet, under Commodore Leon Smith, proved quite serviceable in this emergency, furnishing transportation, making short cruises along the coast, and giving quick notice of the movements of the enemy. The Yankees in our immediate front and down the coast were estimated at 25,000 men, while our army, including Tom Green's division, called in from Louisiana, and the State militia, did not exceed 10,000 men. But these Confederate troops were nearly all veterans, and second to none in fighting qualities; especially was this true of Green's command, comprising the old Sibley brigade, under Col. W. P. Hardeman, and the brigade of Gen. J. P. Major. Not daring to attack our lines in force, the Yankees contented themselves with occasional shelling of our exposed works and petty depredations along the coast.

Our service on the coast during the latter part of the winter of 1863-4 was at times very hard owing to the severely cold weather. E. P. Turner, A. A. G., in a letter to headquarters respecting a bridge at Hinkle's ferry that Captain Howe with his engineer troop was engaged in constructing, said in reference to the weather: "The health of the troops, considering the intensity of the cold, continues good; for example, Colonel De Bray informed me to-day that not 100 of his brigade were unfit for service on account of sickness. The animals, also, have stood the rigor of the weather better than we imagined."

We lost quite a number of our gallant young soldiers who were frozen to death⁸⁸ in an attempt to make an attack upon a detachment of the enemy that had landed upon our coast from the blockading squadron. The same night I made a very nar-

⁸⁸ Fourteen. Their clothing became saturated with water. Not being able to secure fuel, or to reach a fire, they were frozen to death and their bodies found by a searching party sent in quest of them next morning.—Ed.

row escape on a trip down Galveston beach. I was ordered to go down the island on a reconnoissance; the night became very cold—for that section extremely cold. I was in my saddle until near daylight, when I rode up to Colonel Buchel's camp, almost in a lifeless condition. I was lifted from my horse and placed in the musicians' tent between the warm blankets of a bed just vacated, where I went to sleep. Awaking about noon, quite revived, I was supplied with good strong coffee and breakfast. I then proceeded to headquarters. Had I not reached this refuge as soon as I did I would have lost my life.

The only time I was under fire during this campaign was on an occasion when I had gone to the Confederate earthworks at the mouth of the San Bernard under orders from General Magruder, to learn the facts as to the reported appearance of Federal war vessels off that point. When near there I turned back a crowd of stragglers and went with them to the fort. Soon after our arrival a heavy fire was opened upon us from the ships, the shells bursting in and around the fort. I had just remarked to the men that there was no danger, when a shell exploded in our midst, knocking over one of them. Our men, however, replied with spirit, and the enemy, if he meditated a landing, thought better of it and finally drew off.

The Yankees busied themselves in making fortifications down the coast, especially on Matagorda peninsula and near Indianola. Their next form of activity was in getting out of Texas early in 1864, reducing their army here by degrees. The Federal government had not found the easy sailing expected in Texas, and a change of policy was now being effected, as soon became apparent to us.

Baffled in the west as he had been in the east, Banks was next to invade Texas by way of Red River, and his forces on our coast soon began to disappear. The Yankees excused their defeat by saying their occupation of our coast was not so much a military movement as it was a political measure to save Texas from being plucked away from the Confederacy by France. On the assurance from Minister Corwin, in Mexico, that the French authorities there disclaimed any intention of interfering in our war in behalf of Texas, President Lincoln removed his army from the Texan gulf region, leaving only a few garrisons on the Rio Grande.

CHAPTER TWENTY-NINE.

Race of Armies for Red River — Field Transportation — Transferred to Gen. Tom Green's Staff — Travel with Servant and Pack Mule to the Front — On Death of General Green Assigned to Duty on General Wharton's Staff — Mansfield — Pleasant Hill — Yankee Retreat — Monett's Ferry — Alexandria — Mansura — Norwood — Horrible Barbarities of the Enemy — End of Campaign — Return Home with General Wharton — Again at the Front in Louisiana.

The Yankee plan of invasion being known, there was a race for Red River. The Yankees, however, proceeding by water, beat us to the new theater of war in Louisiana.

Unfortunately, about this time a dispute arose between Governor Murrah and General Magruder as to the proper construction of the last conscription law of Congress. Murrah's refusal to co-operate with Magruder made the act a dead letter in Texas. Gen. E. Kirby Smith sustained Magruder and remonstrated with the Governor, but in vain. Finally Smith appealed to President Davis for a decision of the matter, sending him all the correspondence.

On the departure of the Yankees, Magruder sent every available soldier that could be spared to Louisiana. It was a long, tedious march of hundreds of miles through a country mostly destitute of supplies. But there was no help for it; and early in March our brave fellows, horse, foot, and artillery, set out cheerily on the great march to meet the foe.

In the organization of the staff the previous winter at Camp Wharton I was made, in addition to my office as assistant adjutant-general in the field, inspector of field transportation. It was now my pressing duty to arrange the transportation for the army to Louisiana. Our forces from the coast, Terrell's regiment from Tyler, and all other spare troops from Texas, were everywhere hurrying eastward to oppose the invader ascending Red River valley in the flush of expected triumph. At the same time Steele, with 15,000 men and twenty-five pieces of artillery, was marching from Little Rock on Shreveport. In his pathway stood General Price with a force of less than 10,000

men, though reinforced by Maxey's two brigades from the Indian Territory.

I attended, on horseback, the march of the various regiments to Louisiana, ascertained the character of transportation, and apportioned the wagons according to their respective needs, under instructions. In this way I visited the commands of Buchel, De Bray, Terrell, Pyron, Woods, Green, Likens, Bagby, Majors, and Hardeman, and mingled more or less with the men in social talk. I was much gratified to observe their indomitable will and determination to drive the invader from our borders. In a word, the morale of the Texan troops in 1864 was most excellent.

My staff service while with General Magruder was agreeable and instructive. He had about him a bright, active corps of young officers, several of them having served with him in Virginia in the beginning of the war, where he made a brilliant record, as he had done in 1846-7 in the war between Mexico and the United States.

Having provided wagons and discharged the other duties assigned me in connection with the movement of Texas troops to Louisiana, I had no desire to remain in Texas to discharge quasi-civil duties. Our army was then in daily conflict with Banks in Louisiana, and as I had become a soldier I desired service in the field. I therefore applied to General Magruder and received permission to report to Gen. Tom Green, who was an oldtime friend of mine, and had said that he would with pleasure find service for me. I parted with General Magruder with mutual regret. He remained in Texas in command of his department. I had, while Governor, many opportunities of knowing and observing his ability and his great patriotism, and had learned to appreciate his services to Texas. Our relations at that time were of the most cordial character, and after I became a subaltern and one of his military family, I found in him a considerate, as well as active, energetic, and fearless commander. About the 10th of April, 1864, I left his headquarters to join General Green, commanding the cavalry then operating in the army of the western district of Louisiana.

I stopped at Houston to see my wife. After this slight delay I started for my destination, riding my well-trained saddle-horse "Shiloh," and attended by my servant Eli, mounted on a

substantial pony and leading "Gim Crack," another of my horses, to serve me as an extra mount. I carried along with me, on a pack mule, such articles as would prove most useful in what I anticipated would be a long and arduous campaign, and an abundant supply of provisions. The latter piece of foresight stood me in good stead. The distance to be traversed in reaching headquarters in Louisiana exceeded 300 miles. Heavy rains had fallen, the muddy roads were cut up all the way by the passage of wagon trains, and part of the region I had to pass through was stripped of food and forage by the march and countermarch of armies. But my pack mule with supplies rendered me independent, and I camped out as a matter of preference. My servant was an excellent cook, and he made everything comfortable around the campfire, even to the spreading of my blankets on the ground for a bed.

The country along the roads wore an air of desolation. Old men, boys, women, children, and a few cripples were occasionally met with, but no able-bodied men.

Crossing the Sabine at Clapp's ferry, I proceeded to Shreveport, La. The report of the death of General Green (killed at Blair's Landing by a cannon shot) met me before I reached that place, and was confirmed on my arrival there by General Taylor, and made me sad indeed. I had long known Green, and loved him like a brother.

General Taylor, in a touching order issued upon the death of General Green, said: "Throughout broad Texas, throughout desolated Louisiana, mourning saddens every heart." More than this, it might be added, the whole Southland mourned the loss of this great Texan.

Ben McCulloch and Tom Green were gunner-boys for the "Twin Sisters" at San Jacinto. The first named fell at Elkhorn, in 1862. And now the gallant Green had given up his life for Texas.

Both were incomparable fighters in all the wars of Texas. Little cared they for the intricacies of politics; but they loved Texas as children love their mothers, and when danger threatened their swords were always unsheathed for her defense, regardless of the merits of the controversy, and regardless of the character of the foe, whether Indian, Mexican, or Yankee. They



OFF. FOR THE RED RIVER CAMPAIGN IN 1864.

represented the highest ideal of Southern patriotism, and were in their bearing, character, and lives superb types of the Southern soldier.

The death of General Green left me without a place, and I had to be reassigned. General Taylor and I were old acquaintances; our wives were cousins. He gave me a hearty welcome to the army, assuring me that every available man was needed, as there was fighting to be done every day.

General Taylor was in command in Louisiana, Gen. E. Kirby Smith having gone with two divisions of infantry to reinforce Price and force Steele (shut up in Camden) to surrender.

The principal incidents of the campaign that had transpired up to this time were the checking of Banks' onward march, when he had reached a point within twenty miles of the Texas line, by the battles of Mansfield and Pleasant Hill.

Near Mansfield, on Sunday, April 8th, General Taylor, without waiting for orders, surprised the Yankees in their disorderly march by a furious attack, which resulted in another Bull Run stampede. The battle occurred on the day set apart for fasting and prayer by President Davis.

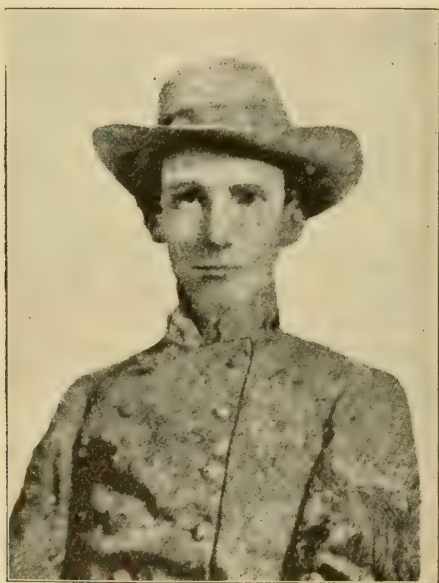
Banks' bad generalship had exposed his army to destruction, and Taylor, taking advantage of it, with 9000 ill-equipped Confederates, beat in detail double his number of the best troops in the Yankee army, always managing to overwhelm the enemy with superior forces at every contested point.

The Yankees lost at Mansfield 2500 prisoners, 250 army wagons well laden with military supplies, and twenty pieces of artillery, and fell back to Pleasant Hill on their way to Red River. The next day our army (reinforced by Churchill's division), 13,000 strong and flushed with victory, attacked Banks' whole army, and a desperate conflict ensued. Perhaps it would have been considered a drawn battle had not the Yankees, under the cover of night, resumed their disorderly retreat, leaving on the field their uncared for wounded and unburied dead. Our losses in both battles amounted to about 2500 men, while the Yankee losses were probably three times that number.

In a day or two after I reached headquarters, Maj.-Gen. John A. Wharton, who had gained reputation as a commander of cavalry in the Army of Tennessee, arrived from east of the Mississippi. He was on leave of absence, to recuperate his broken

health at his home in Texas. I was just from home, in health, and with good camp supplies, while he was broken down and poorly provided with camp necessities. I divided my blankets with him, and was with him during the next month's active campaign.

General Wharton had been selected by General Taylor at Shreveport to succeed Green in the command of the cavalry, though his formal appointment was not made till a few days



GEN. JOHN A. WHARTON, C.S.A.

later. He immediately offered me a position on his staff as assistant adjutant-general, with the rank of lieutenant-colonel, which I gladly accepted.⁸⁹

General Taylor and staff, and Wharton and myself, attended by a small escort, set out from Shreveport on the 19th for the army, near Grand Ecore. Our route lay for the most part along a dismal sandy road, through a country thoroughly rav-

⁸⁹ Next to Tom Green, Wharton was thought to be the ablest cavalry commander in the Trans-Mississippi Department.—Ed.

aged by Banks' demoralized retreating army. When in camp near the Pleasant Hill battleground, Wharton received his formal appointment as commander of all the cavalry in Louisiana, and we went on our way rejoicing. Three days' continuous ride brought us all to General Polignac's camp, in the vicinity of the enemy. Banks made a demonstration on our lines the evening of our arrival, but it turned out to be only a feint to hide his retreat. That night he withdrew all his force, about 15,000 men, to the west side of Red River, at Grand Ecore, and burned a vast quantity of military stores there before continuing his flight at dawn. The army in Louisiana had been so depleted by General Smith for the Arkansas campaign that it did not now exceed 5000 men.⁹⁰ Still, something could be done to harass and damage the enemy, and no time was to be lost.

Steele's Texas brigade of cavalry was then at Polignac's headquarters, and General Wharton put himself at its head, and we set out in hot pursuit of the fleeing enemy. We struck the Federal rear guard heavily at Natchitoches, and drove the enemy continuously till night, inflicting severe losses and taking many prisoners. I had received my baptism of fire under Magruder, but this all-day fight of April 28, 1864, was my first battle. The exciting evolutions on the field, the artillery firing, alternating with volleys of musketry, and the ebb and flow of the hostile lines,—for it was "Greek meeting Greek,"—all made an ineffaceable impression on my memory. Resuming the attack early the next day on the enemy's rear, we drove him to Cloutierville, where he made a stand; but after a severe fight, fell back several miles beyond his works. Before light on the 24th our artillery opened fire on the enemy's camp. Springing to arms, the Yankees fought till 2 p. m., when, retiring, they crossed Cane River at Monett's ferry, and escaped to Alexandria.⁹¹ Polignac's division got up in time to engage the enemy's rear at Monett's.

⁹⁰ Considering the disparity of numbers and the results achieved, this campaign is one of the most remarkable in military history.—ED.

⁹¹ General Taylor officially says: "The force used against us was very great and of all arms, and it is difficult to estimate the importance of the service rendered by Wharton, Steele, and Parsons. The gallantry and pluck they exhibited in fighting such odds for three days is beyond praise."

General Bee had been holding Monett's ferry with four brigades of cavalry (Bagby, De Bray, Terrell, and Majors, senior colonels commanding) and four batteries; but after a desperate struggle with Banks' main army for a day or more, was compelled to give way. This was a vital point, and its surrender irritated General Taylor very much at the time. Bee was afterwards vindicated, and General Taylor, when informed of all the circumstances, made the proper acknowledgments. Monett's ferry cost the Yankees 400 or 500 men and a large number of wagons with supplies; but its capture made their escape possible. The demoralized enemy in their retreat left no houses or fences, stock or supplies, behind them. Everything of any possible value was taken or destroyed.⁹² Our prompt advance was all that saved Natchitoches and Cloutierville from destruction, both towns having been fired in several places before we entered them. Hoping for the best, our brave little army pressed on after the vandals. Wharton, together with Bee and Steele, on the 26th attacked the enemy in the valley near McNutt's Hill, and drove him with considerable loss to the vicinity of Alexandria. The next day Colonels Likens and Harrison attacked four gunboats and two transports on the river. One gunboat, the Eastport, struck on a bar and was blown up to avoid capture. Further down the stream another gunboat was disabled at the mouth of Caney, and a lucky shot from our battery burst the boiler of one of the transports. Besides this, the main damage to the enemy that day was the killing or wounding of nearly 300 men, principally negroes stolen from the plantations above, and some valuable army stores captured. Our loss was one killed and one wounded. The other transport, with all on board, was captured without loss the next day. The two remaining gunboats ran past our battery of four guns at the mouth of Caney, but with considerable damage, one boat suffering a loss of fifteen killed and wounded.

It was a continuous fight with the enemy on both banks of the river, and a fight in the river for their boats.

About the last of April Banks, with 20,000 men, was cooped

⁹²Smith's corps acted worse than Banks' generally in Louisiana. They had learned from General Sherman, their commander, that "war is hell," and were habituated to burning and plunder.

up in Alexandria, and Admiral Porter was also there with his magnificent fleet of fifty vessels unable to get over the falls below the town.

Our little army of less than 5000 men on the outside kept the beaten enemy well in hand, and always in dread of surprise. The campaign was growing more exciting. There was a prospect of reinforcements at least to the extent of Watkins' division of 2500 infantry, and Porter's gunboat fleet appeared, in that event, almost a sure prize.

General Taylor, dividing his small force, sent out detachments in various directions to harass the enemy in every possible way. Wharton put Steele above and west of Alexandria, Bagby on the Bœuf road, and Majors and his brigade at Davidge's ferry on Red River, twenty-five miles below. With these new dispositions, fighting was at once renewed at every available point—the Louisiana general Liddell, at Pineville, on the north bank of Red River; Bagby on the Bayou Robert road, and Steele on the Rapides road,—all engaging the enemy in the most determined manner.

General Majors had the most brilliant success on the river below, capturing and sinking on the 1st of May the transport Emma; he captured a few days later the transport City Belle with the One Hundred and Twentieth Ohio regiment on board. On the 4th the gunboats Covington and Signal, eight guns each, convoying the transport Warner, tried to pass Majors' battery under Captain West. The Signal, after being disabled, surrendered with the transport Warner, but the crew blew up the Covington to avoid capture. Our four guns in the battery were run up by hand close to the river bank, and won the victory by close, rapid, and well directed firing.

Banks' army was now effectually cut off from communication with the Mississippi. Every boat trying to ascend Red River had been foiled by our battery at Davidge's ferry, and things looked blue for the enemy. Meanwhile, the Federals at Alexandria were working to devise a scheme for passing their fleet over the falls: and with their characteristic energy and pluck finally succeeded by means of a dam with sand bags, compressing the river into narrow limits and deepening the channel thereby. The fleet, or the best part of it, for some ships were destroyed, passed

over the falls on the 13th of May; Banks' army, after burning Alexandria, the next day resumed their retreat down the river. Our little force disputed every inch of ground with the enemy, but his immense superiority in numbers and resources made successful resistance impossible. The Federals had still left a train of more than 300 wagons, but they were kept closed up and well guarded with cavalry. The Confederates were pushed back steadily by weight of numbers as far as Mansura. A rapid concentration at this place enabled us to give battle with some chance of success against the over-confident enemy, marching with some disorder.

The town of Mansura was in the center of our position. Generals Major and Bagby, with nineteen pieces of artillery, were on our right, and Polignac, reinforced by De Bray's Texas regiments, held our left with thirteen pieces of artillery. At dawn the enemy's infantry began skirmishing with our cavalry. By sunrise the Federals, about 16,000 strong—cavalry, infantry, and artillery—appeared, advancing cautiously on the great Avoyelles prairie. Our force did not exceed a third of this. But the dense masses of blue coats presented a fine mark for our batteries, and, by permission of the chief of artillery, I touched off the first gun on their lines. Halting, the Federals placed their artillery in position and opened upon us a furious fire. Pending this storm of shot and shell, I galloped with orders to various parts of our line, one for Colonel Hardeman ("Old Gotch") to reinforce our hard-pressed left by a detachment of his command. He did not like to separate his command, but he promptly obeyed orders, after a few not overpolite expletives to give vent to his feelings.

Colonel Hardeman held his position, in line on the right, with part of Majors' brigade, the First Louisiana State Guard, and Colonel Gould's regiment.

Colonel Gould raised the question of rank with Colonel Hardeman, saying, "I don't know that you rank me, Colonel Hardeman." To which "Old Gotch" grimly replied: "I don't know, myself, and I don't care a d——. All I want to know is, whether you will obey my orders." Under the pressure of circumstances, Colonel Gould good humoredly yielded the point. The hot work before them so wholly engrossed their attention that the little dispute was soon forgotten, and each did his duty gallantly.

The battle raged with fury a good part of the day, with varying fortunes. We were gradually pressed back by weight of numbers, and the enemy paid dearly for his laurels, if he gained any.

The second day afterward (May 18th) we had another sharp encounter with the retreating enemy at Norwood, inflicting heavy damages.

General Taylor, on the 19th, by complimentary order, expressed his high appreciation of the gallantry and conduct of Wharton's corps of cavalry and Polignac's division of infantry in the actions of the 16th and 18th. "At Mansura," says the order, "the enemy's whole army was kept back for five hours, his charges repulsed with heavy loss, and at the proper time our little force was withdrawn from his front, to be thrown upon his flanks and rear. . . . The skillful dispositions made by Major-General Wharton, commanding on the field in both these engagements, stamp him as a soldier of high capacity and equal to any position."

I was not at Norwood's plantation, the last of this series of battles. I was at the headquarters tent attending to a large amount of office business that had accumulated and that I had been ordered by the general to dispose of, when the action occurred.

Towards night the ambulances commenced coming in with the wounded. I expressed my surprise, as no fighting was expected. When General Wharton returned, I told him that I felt hurt that he should have assigned me to office work that day. He replied that the battle was brought on unexpectedly; that when he started out in the morning he had no idea that he would engage the enemy.

It was a fierce battle. We lost many good and true officers and men. We held the battleground, the enemy crossing the Atchafalaya beyond our reach, and leaving their dead and wounded on the field.

The campaign closed here, the point at which it began two months before.

Major-General Wharton, on the 24th of May, 1864, addressed a general order to his corps, in which he said:

"For forty-six days you have daily engaged the enemy, always

superior to you in numbers. When the beaten foe, four army corps of infantry and 5000 cavalry, began his retreat, you were found in battle array in his front and hung upon his flanks and rear, only to destroy. In his retreat from Grand Ecore to Atchafalaya, you killed, wounded and captured 4000 men and destroyed five transports and three gunboats. All this was accomplished with a loss to you of only 400 men, two-thirds of whom will report for duty again in forty days. The history of no other campaign will present the spectacle of a cavalry force capturing and killing more of the enemy than their own number. This you have done, and in so doing have immortalized yourselves and added new luster to the name and fame of Texas, the gallantry of whose sons has been illustrated on every battlefield, from Gettysburg to Glorieta. Had a portion of our forces been where I was informed they were an hour and a half before the engagement at Norwood plantation, the rear guard of the enemy would have been entirely destroyed. . . .

"Your advance guard are now watering their horses in the Mississippi River, whither you will soon follow. On short rations and with scanty forage, and in the saddle day and night, you have neither murmured nor complained. . . .

"I, as your commander, honor you for your deeds, and thus acknowledge my appreciation of your services. General Taylor cheerfully accords to you the meed of his approbation, and in his time and way will signify his admiration.

"A grateful people will cherish the record of your gallantry."

As indicated by Wharton, General Taylor issued a general order to his troops (Army of Western Louisiana), in which he made proper acknowledgment of the services and merits of officers and men. General Taylor said:

"On the 12th of March the enemy with an army of 30,000 men, accompanied by a fleet of ironclads mounting 150 guns, moved forward for the conquest of Texas and Louisiana. After seventy days continuous fighting you stand, a band of conquering heroes, on the banks of the Mississippi. Fifty pieces of cannon, 7000 stand of small arms, three gunboats, and eight transports captured or destroyed, sixty stands of colors, over 10,000 of the enemy killed, wounded, or captured,—these are the trophies which adorn your victorious banners. Along 300 miles of river you have fought his fleet, and over 200 miles of road you

have driven his army. You matched your bare breasts against his ironclads, and proved victorious in the contest. You have driven his routed columns beyond the Mississippi, although fed by reinforcements of fresh troops, while many of your gallant comrades were withdrawn to other fields. The boasted fleet which lately sailed triumphant over our waters has fled in dismay, after destroying guns and stripping off armor in its eagerness to escape you. Like recreant knights, the ironclads have fled the field, leaving shield and sword behind.

"The devotion and constancy you have displayed in this pursuit have never been surpassed in the annals of war, and you have removed from the Confederate soldier the reproach that he could win battles but could not improve victories.

"Along a hundred miles of his path the flying foe, with more than savage barbarity, burned every house and village within his reach. You extinguished the burning ruins in his base blood, and were nerved afresh to vengeance by the cries of women and children left without shelter or food.

"If the stern valor of our well-trained infantry was illustrated on the bloody fields of Mansfield and Pleasant Hill, this long pursuit has covered the cavalry of this army with undying renown.

"Whether charging on foot shoulder to shoulder with our noble infantry, or hurling your squadrons on the masses of the foe, or hanging on his flying columns with more than the tenacity of the Cossack, you have been admirable in all.

"Our artillery has been the admiration of the army. Boldly advancing without cover against the heavy metal of the hostile fleet, unlimbering often without support within range of musketry, or remaining last on the field to pour grape and canister into advancing columns, our batteries have been distinguished in exact proportion as opportunity was afforded.

"Soldiers, these are great and noble deeds, and they will live in chronicle and in song as long as the Southern race exists to honor the earth. But much remains yet to do. The fairest city of the South languishes in the invader's grasp. . . .

"Soldiers, this army marches toward New Orleans, and though it do not reach the goal, the hearts of her patriotic women shall bound high with joy, responsive to the echoes of your guns."

My duties in Louisiana were arduous, but as agreeable as such duties could be imagined amid such surroundings. My health was fine—I was fond of the saddle, had good horses, and seldom tired while riding. Then, I had known my chief from his boyhood. In 1836, as I was returning to New Orleans from my first trip to Texas, I saw him, a red-haired, freckled-faced boy of about ten years. He was with his father, William H. Wharton, minister to the United States, then on his way to Washington City. Later we became political and personal friends, a connection that remained undisturbed through our period of soldiering together, and until his death. He was always kind and considerate to me, reposing entire confidence in my judgment and devotion to the cause in which we were engaged. With few exceptions, I accompanied him in the field, and greatly enjoyed the association, for he was so intelligent, so active, so brave, so devoted to his work. A Texan by birth, he was educated in my native State at the South Carolina University and married Miss Penelope Johnson, the daughter of a South Carolina Governor.

The Banks campaign ended, General Wharton received permission to take the needed rest he had applied for. Leaving Louisiana for Texas, he took several of his staff with him, myself among the number. The journey was a very pleasant one. General Wharton was in a buoyant humor, full of fun and sentiment, and often relieved the tedium of the way by reciting snatches of verse, and in some instances entire poems. His literary taste was excellent, his mind well stored with masterpieces of British and American poets that had strongly impressed him, and his talents as a speaker were of a high order. Consequently these recitations, in each instance apropos, were much enjoyed by his auditors. A favorite of his was "Bingen on the Rhine," and he recited it in a manner that so fully brought out its beauties and suggestive meanings, that we, his soldier companions, induced him to favor us with it more than once before reaching our destination, the residence of Col. Leonard Groce, near Hempstead. His mother and many old friends and neighbors, from whom he had been absent for three years, were assembled there and welcomed him with every demonstration of affection. During his absence from home he had been promoted all along the line, from captain to major-general. We were also kindly and cordially received. There was quite a dinner party, and I re-

member an incident that occurred while we were at the table, illustrative of his gay and joyous temperament. Colonel Groce was absent from home. General Wharton's mother was at one end of the table and he at the other, carving a very fine and large turkey. One of the guests made complimentary mention of Colonel Groce, speaking of his great generosity and hospitality to the soldiers,—all of which I knew to be well deserved.

Mrs. Wharton, at the mention of Colonel Groce's name, became very much enthused, delivering a panegyric on him. During her enthusiasm the general dropped his knife and fork and listened to his mother very closely, and apparently with great interest. When she was through, as if desiring information, he asked her very earnestly, "Mammy, is Colonel Groce any kin to you?"

"Why, of course he is. What do you mean by asking me such a question? You know he is my brother."

"Well," replied the general with a twinkle in his eyes, "I thought he must be some kin to you."

It caused much merriment, for there were present quite a number of strangers who were not aware of the relationship.

I left the general with his friends, and made speed to my own home at Houston, to have a good time also with mine. I was, however, disappointed in my expectations. I had scarce arrived before General Wharton was ordered to return with all dispatch to the army in Louisiana. After hasty preparations, I bade farewell to wife and home, taking with me my elegant "Shiloh," Eli, and the pack mule, and rejoined General Wharton.

A few days more found us again with his cavalry command. Nothing of note occurred. The army was being reorganized—awaiting the movements of the enemy. No hostile troops were in Western Louisiana, and Texas was free from the presence of Federal soldiers, thanks to a good Providence and, under Him, to the Texans who crossed the border to meet the invaders.

CHAPTER THIRTY.

President Davis Appoints Me Aide on His Staff — Affectionate Farewell to My Comrades and Departure for Richmond — Crossing the Mississippi at Night — Arrival at the Confederate Capital — Condition of Affairs There — I Attend the President on His Visit to Hood's Army — Associates at Richmond — Hard Times — The Conference at Fortress Monroe — Terms, Unconditional Surrender — The Confederate Government Defiant — Admiral Semmes — The Ominous Pause.

On the 12th of August, 1864, I received the following letter. In consequence of the great difficulty of communicating across the Mississippi, it had been on the way nearly two months:

Immediately upon its receipt, I consulted with General Wharton, Gen. James Harrison, General Hardeman, and other friends, all of whom advised me to accept the appointment.

My preparations were hurriedly made, and in two days I was on my way to Richmond, bearing with me a letter that General Wharton gave me at parting. Though I was not thrown among his intimate acquaintances, I cherished it as a memento of a friend I never saw again and a reminder in darker days of a campaign of triumph.

The general said in this letter, the last communication I received from him:

"I regret exceedingly to lose your services on my staff. My regret at parting with you, however, is mitigated by the fact that in your new capacity, as aide-de-camp to the President, you will be more able to serve your country.

"Your familiarity with the wants of the Trans-Mississippi Department will enable you to be of great service to the people and army west of the Mississippi River.

"Your zeal in the service of our country during your gubernatorial term is an evidence that the same ability and energy will be displayed in your new sphere.

"My friends east of the Mississippi River will receive you most kindly, as a recognition of your own merits and as a token of regard to myself."

While this old worn letter lies before me, memory makes a quick reference to the writer,—to his intelligence in counsel, his dashing execution on the field of action, his bright, cultured

Richmond 5th June 22. 1864

Colonel

It has been my desire to have near me some one well qualified by acquaintance with the people and affairs of the Trans-Mississippi Department who can keep me informed as to the requirements of the service there and advise me upon all matters relating to it.

With this view, though without opportunity for previous consultation, you were nominated to and confirmed by the Senate at its recent Session to be A. D. C. to the President with the rank, pay and allowances of a Colonel of Cavalry.

If you decide to accept the appointment I shall be glad to see you in Richmond as soon as it is convenient for you to come.

Very respectfully a truly yours
Jefferson Davis

Colonel J. R. Lubbock

conversation with his friends, and again I seem to hear his voice and see his commanding form; the veil of the past rolls away, I seem to be standing, in the prime of manhood, surrounded by men of that generation, all dressed in Confederate gray, with arms at our sides; but after a time I fold it and replace it in the receptacle that has guarded it so long, and the vision vanishes and the present returns,—a present between which and the headlands of that other era rolls a broad stretch of Time's mighty ocean, made up of the tossing waves of many departed years.

Major Hart, the inspector-general, who had charge of the courier line communication with the east side of the Mississippi, was ordered by General Hardeman to accompany me. A detail was made of three men for the purpose of assisting me across the river,—J. A. Handley, Pink Hunter, and Brinkley Tyler, belonging to Hardeman's regiment, Tom Green's brigade. These were to go ahead to see that the way was open before attempting to cross my little cavalcade, now composed of my valuable horse "Shiloh," Eli and pony, and my pack mule.

Arriving at the river, we procured a dugout secreted in the bushes for the use of our couriers. The bank was so precipitous that our horses were led to the bottom below with great difficulty. The dugout had to be let down by means of a rope, and much care had to be used in launching to keep her from filling. As it was, she dipped very much, taking in a quantity of water. Her capacity was sufficient for only three,—the man at the paddle, the boy, and myself.

No one without experience can appreciate the difficulty of crossing such a stream in a dugout with only one man using the paddle, and impeded by three animals, two on one side of the boat and one on the other. Almost lying down, I held the bridle of "Shiloh," while my boy, crouching on the other side, held his pony and the pack mule. When about midway the stream, the mule became tired and unmanageable, and we determined that safety required us to let him drown. Our boat being more evenly balanced, with great care and exertion we saved our two horses and reached the east side of the great father of waters.

We had a perilous trip across, expecting drowning or capture by the Federals at any moment of our passage.

Our dugout was rocked by the waves caused by the movement

of their gunboats; but the darkness of night and the caution with which we proceeded saved us from their observation. Our consultation on the way was carried on in whispers. We landed wet and muddy, tired and hungry, but I was well pleased at being free and able to proceed on my way.

Here I found a good Confederate who made me welcome and as comfortable as possible until I could hasten onward. At Woodville I was entertained in a manner that I remember with pleasure.

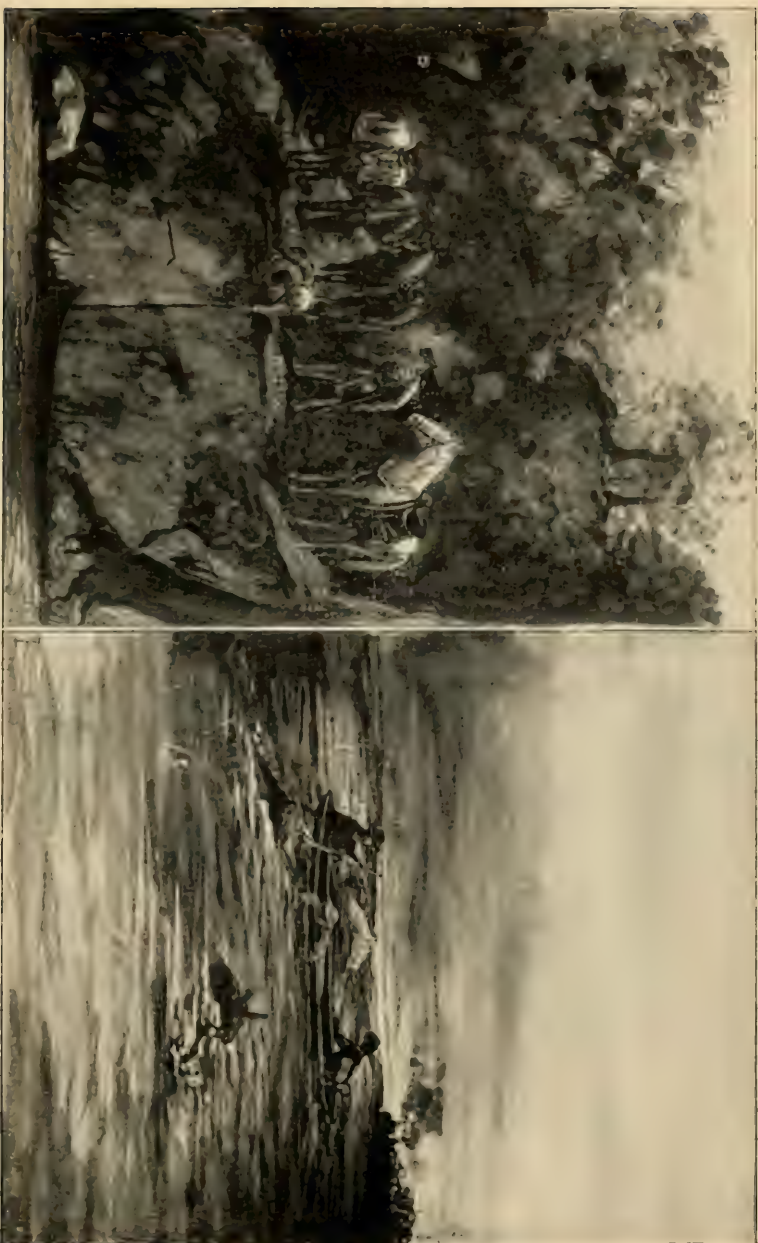
After deliberating, I concluded to travel by rail in order to reach Richmond more promptly. I disposed of the boy's horse by leaving him with Mr. Kennard to be sold. To him I was under many obligations for attending to this so kindly, sending me the money, and entertaining me hospitably while I was with him. At Montgomery I was unable to procure immediate transportation for him, and my gallant steed, my beautiful "Shiloh," my faithful field companion that no money could have purchased, was turned over to a quartermaster, who promised to send him to Richmond in a few days. It's wonderful how a man comes to love the horse that has borne him often through danger. I almost regarded mine as an intelligent fellow-soldier. My great anxiety to report for duty is the only excuse I can offer for leaving my faithful animal. He never reached me, the quartermaster merely informing me that my horse had taken sick and died. I learned subsequently that he was loaned to an officer who gave him a very hard ride, resulting in his death.

Another calamity that befell me was the loss of a pair of spurs that I prized very highly, stolen by some miserable wretch. I gave them to my brother Tom S. Lubbock at the beginning of the war. He used them until his death, and I then recovered them. I did fret much at their loss, on account of the association.

I was refused transportation for my servant, and had to pay full fare for him to Richmond. Thus my trip was not only a hazardous and hard one, but very expensive.

It was with difficulty I could get anything to eat on the route. The trains were crowded to suffocation.

I spent a day in Mobile, and was most kindly treated by my old friends, Ketchum and Pillans. I was delayed a day at Columbus, Ga., also one at Macon. I then went to Atlanta to see



CROSSING THE MISSISSIPPI.

General Hood and our Texas soldiers. I was detained there, leaving the day of its evacuation by our troops.

At Atlanta, September 1st, somewhat sick and worn out, I was resting at the hotel, when the ubiquitous Tom Ochiltree entered my room and informed me that we had better leave the city at once, as General Hood had determined to abandon the place.

As usual, he was in good luck, had an ambulance, and was kind enough to offer me a seat, which was thankfully accepted. We camped that night with my very good friend Major Littlefield, quartermaster of Hood's brigade, near enough to the city for the noise made by the blowing up of abandoned stores, consequent upon the evacuation, to reach our ears, and for the fires to light up our camp.

When I started on the train I came near being captured at a small station, Rough and Ready. The engine getting out of fuel, we had to pick it up by the roadside as best we could and run the gauntlet through the enemy's pickets. I spent one day in Columbia, S. C., a most beautiful city. I met Governor Bonham, whom I had known before, and General Chesnut. They were both very kind and courteous.

I reached Richmond September 8, 1864, in good health with the exception of a bad cold, twenty-three days after leaving General Wharton's command in Louisiana, the length of time showing how much of the journey I had to make on horseback (one week of the time riding through the rain), and the broken up condition of the roads in Georgia.

I very gladly accepted an invitation to stop at the home of Judge Reagan,⁹³ and in due time called upon Mr. Davis. I was very kindly received by him and his staff, and found the duties assigned me sufficiently agreeable, although I would have preferred active service in the field.

As soon as opportunity permitted I visited our old Texas brigade (Hood's), and, as nothing less would content them, made them a speech. They were a hardy looking set of men, the picture of good health—all heroes, God bless them! Their name and fame were in the mouths of all I met. It was a source of proud gratification to me to find that all the Texas troops on

⁹³ Judge Reagan had lost his wife a short time before, and was still keeping house, having his children with him.—ED.

that side of the river stood high, not only as good fighters but as honorable and well behaved men.

One of my first acts on my arrival at Richmond was to write to my beloved wife, giving her the details of my trip, my reception by the President, and such other news as I thought would be of interest to her. In this connection I said: "I saw our old Governor Smith ('Extra Billy') this morning. He made me promise to come and take a cup of coffee with him this evening. The old gentleman looks very well. He was wounded before he was elected governor. You recollect we saw him at the Virginia Springs in 1860.

"My dear wife, I do hope and pray that you are well and all at home; kiss them for me. Keep your spirits up. Everything will get right after awhile. Tell Mrs. Reiley she must have you to ride and visit, and make you happy.

"In writing, send letters to care of Gen. E. Kirby Smith, Shreveport,—sometimes to care of General Wharton, sometimes to care General Buckner, commanding the District of West Louisiana. Mr. Cushing can tell you how to send letters, or perhaps Captain Clute."

In a later letter I wrote to her:

"Richmond is full to overflowing. It is estimated that there are one hundred thousand people in the city. It is a mystery how a large number of them subsist.

"Confederate money is worth more here than in Texas, for gold is twenty-three for one. The prices of everything in the way of provisions is enormous—flour \$325 per barrel, butter \$10 per pound, corn \$50 to \$60 per bushel, beef \$3 to \$4 per pound, potatoes \$50 to \$60 per bushel, sorghum syrup \$25 to \$30 per gallon, etc.; board at the hotels \$30 per day."

My association with the staff was of the most pleasant character; it was also instructive, for they were all men of intelligence and culture and well up in military affairs.

When I entered upon my staff service I found for associates Col. G. W. C. Lee, a graduate of West Point (the son of Gen. Robert E. Lee), later promoted to brigadier-general, and after the war president of the Washington-Lee University; Col. William Preston Johnston (son of Gen. Albert Sidney Johnston), after the war a professor in Washington-Lee University, and for many years president of Tulane University, Louis-

iana; Colonel Ives, a graduate of West Point and an accomplished officer (now dead); Col. John Taylor Wood (grandson of President Zachary Taylor), a graduate of the United States Naval Academy and accomplished in his profession (now residing in Halifax, N. S.); and Col. William Browne, of Georgia, afterward promoted to brigadier-general, quite distinguished as a journalist and as a man of letters (now dead).

After being on duty awhile, Mr. Davis said (so a friend wrote to me) that no man, on so short an association, had ever made so favorable an impression upon him. Side by side with the endorsement of my own people, I appreciated this from such a man, and I am proud to know that his friendship grew stronger day by day.

I had scarce time to locate myself and view my surroundings before the President left Richmond on a visit to the army in Georgia and Alabama, taking Col. Custis Lee and myself with him. In a letter to my wife, September 27, 1864, written from General Hood's headquarters at Palmetto, near Atlanta, Ga., I said:

"We arrived here day before yesterday. I am quite well.

"I am now visiting Ector's Texas brigade, and will make them a speech in a few moments. I have just learned that a Captain Zeigler is about starting for Texas, and I have begged this paper to write, not knowing when I will have another opportunity. Everything is at a standstill here. It may be a lull before the storm. We reviewed the army yesterday. The men are in very good health and spirits. I think we will leave this afternoon for Alabama."

The trip to Alabama was full of interest to me. While in Montgomery the President and his aides were the guests of Governor Watts, formerly the Attorney-General of the Confederate States.

During our stay there Gen. Dick Taylor, who had come to meet the President, discussed with him the propriety of bringing western troops over to the east side of the Mississippi. Mr. Davis was very anxious to recruit our depleted ranks. Though we were hopeful that the tide would soon turn in our favor, we needed more men in both of our main armies. General Lee was very much in need of more troops. In Georgia the President tried to induce the State authorities to co-operate more heartily

with the Confederate government in filling up the army for the defense of their own State, by making fewer exemptions from the service and promptly enforcing the conscription act.

General Taylor talked over the possibility of getting troops from the Trans-Mississippi Department, and when the latter suggested that it might be possible and that, if I were sent over, I could bring a large body of men to the east side, Mr. Davis desired me to express my opinion and wishes. In an instant the situation was before me: Texas had filled cheerfully every requisition made on her by the Confederate government for the armies east, and her sons had turned out, from boyhood to old age, to defend her territory. Her available troops had just been doing hard fighting across her borders side by side with those of her neighboring States. The crossing of the Mississippi by a body of our troops would be a stupendous undertaking, blockaded as it was by the enemy. Then the length of time it would take, supposing it could be effected, would prevent such reinforcements from arriving in time to serve the purpose for which they were intended. I felt in my heart "anything for success," but here I did not see success, and at once I said to him: "When I crossed the Mississippi I declared I would not return until the end of the war. I am subject to your orders, and only under them will I go west of the river before that time." He merely replied, "You will not be ordered."

We were absent from Richmond sixteen days, the brightest and most pleasant that I spent with Mr. Davis. It was all activity and hopeful effort for the future, and entertainment by friends, for Mr. Davis was well received wherever we went. I was a subaltern. To Mr. Davis, the head and front of affairs, they must have been trying days, these days of conference with Generals Hood, Hardee, Taylor, and others near Atlanta and, on our return, at Augusta with General Beauregard and General Cobb, in command of the Georgia troops.

The trip over, we returned to Richmond to do what men could to meet the various requirements of the times.

Upon our return to Richmond the first news of a personal nature was bad news. Eli was gone. Colonel Lee had taken his servant with our party, and I had left mine at my quarters with Judge Reagan.

One day during our absence the alarm of an attack on the

lines near the city was given. The judge made all preparations before leaving the house for a hurried retreat, if necessary. He had several hundred dollars in gold, which he placed in his saddle-bags, leaving them in his room. He returned during the night, the alarm having passed. On investigation, he found his gold all gone. Eli having observed him while packing up, the judge concluded he had abstracted the gold, repaired to the boy's room, found him in a quiet sleep, awoke him, and demanded his money. He at once owned up that he had taken it, declaring it was the only time he had ever stolen a dollar, and promised that, if the judge would not tell me on my return, he would tell him all about it. The judge made the promise. He disclosed the fact that nearly all the money had been expended for jewelry for his girl, and, getting the jewelry, accompanied the judge to the various shops where he had made the purchases, and the judge had his money returned. Eli remained at work until the very day of my return, but then disappeared, and was seen no more by the judge or myself. We presumed that he became fearful that I would hear of his bad conduct, and ran away. He was about 20 years old, and he had always been a very good boy. He was with me from the day I joined the army. I brought him to Richmond at great expense, he entreating me to take him with me. I would not advertise him, but gave the sentinels notice on our lines. About this time many negroes were escaping to the Yankee lines, there being a large number of negro troops with the enemy. My opinion is that he was either killed in going out of our lines or after he joined the enemy, for I feel satisfied he would have returned to me or to Texas, for he was devoted to me, and he has never been seen or heard of since. Poor boy, many a wiser head than thine has been turned by woman, and many a subtler spirit tempted from the path of rectitude by gold.

So I was not only unhorsed, but servantless.

A few days later I bought a horse, not a very good one, either, giving four or five thousand dollars for it.

The President, observing that I was a good Texas horseman, gave me an invitation to ride with him almost daily. Taking me with him, sometimes alone, but generally with one or another of the staff, he frequently visited the lines of the army around Richmond. This was always interesting to me. I preferred it to

office work. All of us had a large amount of clerical work to perform daily,—letter writing and drafting of telegrams and other papers.

In my capacity as an aide to the President, I met very nearly all the prominent army men, and renewed in that way many pleasant friendships I had formed before the war. It was my good fortune to know Generals Lee, A. S. Johnston, J. E. Johnston, Beauregard, Hardee, Hood, Bragg, Cooper, Holmes, Hampton, Breckenridge, Fitzhugh Lee, Winder, Lawton, Cobb, Garey, Toombs, Barksdale, Forrest, Maury, Stephen D. Lee, Joe Wheeler, Loring, Cheatham, Marmaduke, Price, Van Dorn, Dibrell, Fields, and hosts of others besides our Texas generals. I met also many private soldiers, old friends and true patriots, who formed the lines, and whom I was glad to greet.

I wrote in one of my letters home: "I rode out yesterday afternoon to see General Longstreet. I found his health good, but his arm very weak from a wound received in the battle of the Wilderness. He spoke in very high terms of Frank Terry and Tom Lubbock, and said he always regretted that they did not return to him; that they were fully appreciated by himself and all who knew them in Virginia."

I did all in my power to contribute to the comfort of the sick and wounded,—making daily visits to the hospitals for that purpose. I also aided in securing supplies and clothing for all who called on me for aid. Soldiers belonging to the Trans-Mississippi Department knew that I was their representative on the President's staff, and I was appealed to by them continually for relief. Even at this late period I frequently meet with those whom I relieved during the war, and they appear as grateful now as then.

I was at the President's mansion quite often, where I always received a cordial welcome. Mrs. Davis was a most refined, accomplished, and excellent lady, bright, pleasing, and intelligent in conversation, and an elegant entertainer. Her sister, Miss Maggie Howell, resided with her. A social hour with Mr. and Mrs. Davis was a treat.

I enjoyed a visit sometimes to the Governor and his wife, with whom I was well acquainted. Besides, I made the acquaintance of many pleasant people and very warm friendships with others,

and, when opportunity offered, which I must say was seldom, I was with them.

I became well acquainted with Mrs. Winkler, wife of my distinguished friend Colonel Winkler, of Hood's brigade, and subsequently one of the judges of the Court of Appeals of our State. He married her in Richmond. She was brave and true, often in the lines, sometimes camping almost within reach of the enemy's guns. She is now one of the most intelligent and lovable women in Texas, an honorary member of Hood's brigade.

During the winter before Richmond was evacuated provisions became very scarce, so much so that even the President had meat only a few times a week, and had to content himself with rice, cornmeal, and the plainest and scantiest of fare. Occasionally Mrs. Davis would get something she could make into a pie, and knowing my fondness for such things, she would send for me to dine with her, saying she "would have pie for dinner." About the only meat we (Judge Reagan and I) had was the small supply I drew from the government, generally not more than three or four pounds of beef a week, together with a small ration of rice, vinegar, and salt. We would purchase outside a little flour and sorghum molasses, paying toward the last as high as \$100 to \$150 per gallon. At breakfast, as a general thing, we had black coffee, sorghum, and biscuit,—the latter made of flour, salt, and water, and innocent of lard or baking powder. Supper the same. Our rice and beef were reserved for dinner. While one and one-fourth pounds of beef were a day's ration for a soldier, Judge Reagan and family and myself had only about half a pound between us. As he was a civilian he could not draw rations, and I divided mine with him. He bought what he could find and afford. On one occasion Maj. Wm. H. Martin, of Hood's brigade ("Old Howdy"), was invited by us to breakfast. I thereupon visited the market to try to add to our scant larder. All I could get was a shad fish, for which I paid \$50. That is the way the Postmaster-General and one of the President's aides fared, and that aide was on friendly terms with the commissary and could get as good as could be procured, so of course there were large numbers of our men who fared much worse—almost starving. At this very time the Yankees were finding fault with us for not feeding their prisoners full government rations.

As for clothes, I drew the cloth from the government and fur-

nished all the trimmings and paid a tailor \$1000 to make me a suit of gray.

The winter of 1864-65 was doleful enough in the Confederate capital. The ever-increasing scarcity of supplies was not the only source of anxiety. Our spirits were continually harassed and depressed by news of disaster from the front: Hood's repulse before Nashville, our worst defeat in the war up to this time; the enemy's occupation of Savannah and Charleston; and, finally, the capture of Fort Fisher, our last seaport. The latent hostility to the government began to manifest itself more boldly. The air was soon full of rumors of peace, which the enemy seemed eager to agree to if our government would only respond to overtures having that object in view. The Confederate leaders had no confidence in the enemy's sincerity of purpose, but President Davis, to disabuse the public mind on this subject, appointed commissioners to meet and confer with the Federals. Our commissioners were R. M. T. Hunter, John A. Campbell (formerly associate justice of the United States Supreme Court), and Vice-President Alexander H. Stephens, who once had close personal relations with Mr. Lincoln when a congressman. The preliminaries all arranged, these distinguished gentlemen met President Lincoln and Secretary of State Seward on board ship off Fortress Monroe. The conference was wholly informal, and no record of its proceedings was taken down by anyone acting as secretary. It ended in a few hours without any agreement having been reached. President Lincoln offered no terms of peace, except unconditional surrender, which was not to be thought of. The leader of a lost cause need not expect to escape unjust criticism; and so President Davis has been cruelly blamed for no agreement being reached that would have ended the war and secured some benefits to us; this, too, when no terms were submitted other than remain after irreparable defeat to a conquered enemy. Our commissioners entered into the conference in good faith, for the purpose of securing peace to the "*two countries*," while President Lincoln and Secretary Seward were committed to "the view of securing peace to the people of *our one common country*." These views were incompatible, and one side or the other had to yield. The commissioners waived their instructions so far as to call out from President Lincoln what terms the Confederates might expect in his "one

common country." This is found in the commissioners' report of February 5, 1865, which, among other things, said:

"We understood from him [President Lincoln] that no terms or proposals of any treaty or agreement looking to an ultimate settlement would be entertained or made by him with the authorities of the Confederate States, because that would be a recognition of their existence as a separate power, which under no circumstances would be done; and, for a like reason, that no such terms would be entertained by him for the States separately; no extended truce or armistice (as at present advised) would be granted or allowed without a satisfactory assurance in advance of the complete restoration of the authority of the Constitution and laws over all the places within the States of the Confederacy; that whatever consequences may follow from the re-establishment of that authority must be accepted; that individuals subject to pains and penalties under the laws of the United States might rely upon a very liberal use of the power confided to him to remit those pains and penalties if peace be restored." This meant unconditional submission, if it meant anything at all. And Judge Campbell says in his memoranda: "In conclusion, Mr. Hunter summed up what seemed to be the result of the interview: That there could be no arrangements by treaty between the Confederate States and the United States, or any agreement between them; that there was nothing left for them but unconditional submission."

In response to a request of the United States Senate for information on this subject, President Lincoln submitted the following message:

"EXECUTIVE MANSION, February 10, 1865.

"On the morning of the 3d inst., the gentlemen, Messrs. Stephens, Hunter, and Campbell, came aboard of our steamer and had an interview with the Secretary of State and myself of several hours' duration. No question of preliminaries to the meeting was then and there made or mentioned. No papers were exchanged or produced, and it was in advance agreed that the conversation was to be informal and verbal merely. On my part, the whole substance of the instructions to the Secretary of State, hereinbefore recited, was stated and insisted upon, and nothing was said inconsistent therewith, while by the other party

it was not said that in any event or any condition they ever would consent to reunion; and they equally omitted to declare that they would never so consent. They seemed to desire a postponement of that question and the adoption of some other course first, which, as some of them seemed to argue, might or might not lead to reunion; but which course, we thought, would amount to an indefinite postponement.

"The conference ended without result. The foregoing, containing as it is believed all the information sought, is respectfully submitted.

"ABRAHAM LINCOLN."

It will be observed from the above that President Lincoln does not claim that he offered any terms for reunion. Even an armistice was refused unless we agreed in advance to reunion without conditions. Such an agreement would have been tantamount to an acknowledgment that the Confederacy had no legal existence as a government, and that its supporters were rebels.

By continuing the war we secured terms of surrender from General Grant, not as good as might have been, but still of incalculable importance, and infinitely better than unconditional surrender. Grant's terms were in substance given to all our armies, and proved to be the only barrier against Federal encroachment upon our rights of person and property.

After the failure of the peace conference, the Confederate Congress issued an address to the people, saying in part: "The enemy, after drawing us into a conference, abruptly terminated it by insisting upon terms which they well knew we could not accept. Our absolute surrender and submission to the will of the conquerer are the only conditions vouchsafed by our arrogant foe. We are told that if we will lay down our arms and our lives, liberty, property, and domestic institutions at the feet of President Lincoln, he will be merciful to us."

At a meeting held in the African Church at Richmond for an exchange of views on the situation, President Davis opened the discussion by an eloquent speech urging a continuance of the war, as right was sure to prevail in the end. He was bold and defiant in his utterances, and his hopes of final success for our cause appeared unshaken by accumulating disasters.

Vice-President Stephens was loudly called on for a speech, but he did not respond.

In a burst of pathetic eloquence R. M. T. Hunter said: "Whatever is sacred in human affections, or dear to the hearts of men, is involved in this contest; and may God grant us the wisdom to devise and the arm to execute those measures which, under His hand, shall effect our deliverance in this great crisis."

"We now know that this people must conquer its freedom or die," said Secretary Benjamin. ". . . The government must take in charge every bale of cotton and every pound of tobacco, as a basis of means for prosecuting the war, and every pound of bacon must come as a free gift to feed the soldiers. Talk of rights! What rights do the arrogant invaders leave you? To the army in front send aid, be it white or black. Let us say to every negro who wishes to go into the ranks on condition of being made free: 'Go and fight; you are free!' . . . My own negroes have been to me and said: 'Master, set us free, and we will fight for you. We had rather fight for you than for the Yankees.'"

In conclusion, Mr. Benjamin said that it was the affair of the States separately to move off in this matter of freeing such slaves as chose to fight for their country, and that Virginia should take the lead.

In February, 1865, General Lee was made generalissimo of all the Confederate armies, and clothed with extraordinary powers to meet the emergency.

In view of our desperate situation, Lee urged that the ranks of the army be filled with negro troops. In response to the call of her noblest son, Virginia, through her Legislature, authorized the enlistment of slaves on terms to be agreed upon between their owners and the Confederate authorities.

Finally Congress authorized by act the enlistment of slaves in the army; but it came too late for enforcement.

Thinking, perhaps, that the last battle would be in Virginia, General Lee, in a letter to General Breckenridge, then Secretary of War, said, under date of February 19, 1865: "It is necessary to bring out all of our strength, and, I fear, to unite our armies, as separately they do not seem to be able to make headway against the enemy. Provisions must be accumulated in Virginia, and

every man in all the States brought out. I fear it may be necessary to abandon all our cities, and preparations should be made for this contingency."

The final effort of General Lee to raise the siege of Richmond was the assault on Fort Stedman, led by the heroic Gen. Jno. B. Gordon. Though taken, the fort could not be held and our condition was not bettered.

Admiral Raphael Semmes,⁹⁴ of Alabama fame, commanded our gunboat fleet on James River.

Lee's veterans still presented an intrepid front, and the overwhelming enemy paused, as if with a kind of involuntary respect for the Confederates, before closing in for the last struggle.

⁹⁴ After the loss of his ship, the *Alabama*, in the English Channel in June, 1864, Semmes made his way back to the Confederacy via Mexico. He passed through Texas by stage, and after a few days rest at his home in Mobile arrived at Richmond in January, 1865. He was then immediately promoted to the rank of rear admiral in the Confederate navy and placed in command of the James River fleet. Semmes did not get to test his skill as commander of an inland fleet.

CHAPTER THIRTY-ONE.

Evacuation of Richmond—Confederate Government at Danville—Lee's Surrender—President Davis and Staff at Greensboro—Halt at Charlotte—Sherman-Johnston Negotiations—Departure Southward of the Presidential Party and Escort—Last Cabinet Meeting—Last Council of War—Dissolution of the Government at Washington, Ga.—Mrs. Davis—The President and Party Captured—Indignities—My Letter Home Written from Macon—Augusta—Reagan, Stephens and Wheeler—Fortress Monroe and Fort Delaware.

As spring approached the alarms of attack were more frequent; and all too soon, on Sunday morning, April 2, 1865, the reality came.

The President while at church received a telegram from General Lee advising him of his intention to that night withdraw his forces from the inner lines of the defenses of Petersburg. He left the church quietly, and, going to his office, gave directions for the evacuation of Richmond, which was to take place simultaneously with General Lee's withdrawal from his position, notifying the cabinet and staff officers that we would leave on the train for Danville.⁹⁵

I was at church and heard nothing until, stopping at the stable for my horse on my way to dinner, I was informed that a messenger had been there for me, and learned of the excitement in the city. I repaired immediately to the executive office. There I found everything upside down, packing. My energies were bent to the work of preparation for the departure, and as things were fairly packed before I got to the office, I could soon leave for the executive mansion, where, after rendering some assistance to the President, I received from him my orders.

I met him at the hour appointed and accompanied him, with the other members of his staff, to the train. This was the saddest trip I had ever made, for I could but feel grieved—sorely distressed; a sorrow that was ominous of the future.

Arriving safely at Danville, we went into quarters, opened up our offices, and assumed our duties.

⁹⁵ Mrs. Davis had previously gone to Chester, S. C., on account of her failing health. Col. Burton Harrison attended her.

The people of the town extended every aid and courtesy to the government officials. The President was the guest of Mr. Sutherland, and we also partook of his hospitality.

It was here April 5, 1865, he issued a stirring appeal⁹⁶ to the people, expressing his hope that we would yet ultimately be victorious. After remaining some eight days in Danville we received intelligence that Lee's army was to be surrendered. This news was brought by young Wise, whose promptness probably saved us for the time being from capture. We closed our office, packed up, and left for Charlotte.

Upon reaching Greensboro, the President had a conference with Generals Johnston⁹⁷ and Beauregard, and his cabinet officers. It was decided that General Johnston should hold a conference with General Sherman about the suspension of hostilities, to see if any arrangements could be made to put an end to the war.

A cartel embodying terms of surrender for Johnston's army was drafted and sent to Washington, D. C., for approval, and, pending a reply, an armistice was agreed upon.

Leaving Greensboro on the 16th, we arrived at Charlotte two days later. The people gathered about the President and showed him every attention and respect. While he was talking to them he was handed a telegram. The assembly, presuming it was some army news, called vociferously for its reading. It proved to be a telegram announcing the assassination of President Lin-

⁹⁶ President Davis said in this address:

"It is for us, my countrymen, to show by our bearing under reverses how wretched has been the self-deception of those who have believed us less able to endure misfortune with fortitude than to encounter danger with courage.

"We have now entered upon a new phase of the struggle. Relieved from the necessity of guarding particular points, our army will be free to move from point to point to strike the enemy in detail, far from his base. Let us but will it, and we are free. . . .

"Let us then not despond, my countrymen; but, relying on God, meet the foe with fresh defiance and with unconquered and unconquerable hearts."

⁹⁷ President Davis was not convinced that Johnston's surrender was necessary, and always held that he should have insisted on better terms than were accorded to Lee, as the circumstances of his situation were vastly different.

coln, which he read to the assembly. I think it produced a profound impression. Mr. Davis was as much surprised as the multitude at the intelligence. Following the reading of this dispatch he delivered an eloquent speech, urging the people to keep up the struggle and expressing the belief that we would still triumph.

General Duke, with Dibrell's cavalry, held Charlotte while negotiations were pending between Generals Johnston and Sherman. General Breckenridge soon brought Mr. Davis a copy of the Johnston-Sherman cartel; but two days later Johnston wired that the authorities at Washington had rejected it, and shortly thereafter came the news of his surrender on the 24th of April.

Thereupon the President and staff, with General Breckenridge, the Secretary of War, and the remaining members of the cabinet left Charlotte to join, if possible, Generals Taylor and Forrest in Alabama, and with those commanders, and such troops as they might be able to hold together, retreat across the Mississippi into Texas, and there marshal another army and continue the war. A conception worthy of the daring and resolute mind of the hero of Buena Vista, and of a spirit that did not yield to defeat until all power of resistance was withdrawn by Fate!

Speaking of the last cabinet meeting held, Hon. John H. Reagan says:

"I remember very well our last cabinet meeting. It was after we had left Richmond and were traveling through the southern portion of North Carolina. It was near the border of the two States, North and South Carolina. It was under a big pine tree that we stopped to take some lunch. Mr. Trenholm, the Secretary of the Treasury, was absent. He had been taken sick at Charlotte, and after trying to keep up with us for about twenty miles, he gave out and tendered his resignation. The resignation of Mr. Trenholm was discussed, and it was finally accepted, and I was selected to take charge of his portfolio in conjunction with that of Postmaster-General. I remember on that occasion Mr. Davis said, when I requested to be relieved from that additional duty: 'You can look after that without much trouble. We have concluded that there is not much for the Secretary of the Treasury to do, and there is but little money left for him to steal.' That was in April, 1865.

"Some time after that George Davis, Attorney-General, asked

President Davis' advice about retiring from the cabinet. The Attorney-General said he wanted to stand by the Confederacy, but his family and his property were at Wilmington, and he was in doubt as to where his duty called him. 'By the side of your family,' promptly responded Mr. Davis. After the Attorney-General left us, there were only four members of the cabinet left to continue the journey to Washington, Ga., which was our destination."

On our journey we found the country in many places desolated and the people sadly depressed. They seemed afraid to have our party with them; afraid of being visited with vengeance for having entertained us. Seeing this, I remarked to the President: "Wait, sir, until we get into my native State, South Carolina, and you will know it." In the afternoon, while passing a handsome residence, some little distance from the road, a bevy of ladies approached the gate with beautiful flowers, threw them at Mr. Davis' feet, and insisted on the President and his party dismounting. This we did, and entered the hospitable home. They would not listen to us going further that day, and we spent the night. The gentleman's name, as well as I remember, was Springs. I remember he married a Baxter, and subsequently some of the family came to Houston. Upon being so cordially received, I very naturally inquired what State we were in. The reply came, "South Carolina," to my great delight.

"We put up at Abbeville, S. C., for the night," says Judge Reagan, "because we were informed that a lot of Yankee cavalry were in Washington, Ga. At that point Benjamin said he proposed to leave the country and get as far away from the United States as possible. Mr. Davis asked him how he proposed to get down to the coast. 'Oh,' replied Benjamin, 'there is a distinguished Frenchman whose name and initials are the same as mine, and, as I can talk a little French, I propose to pass myself off as the French Benjamin.'"

The President was the guest of Mr. Burt at Abbeville, and there, on the night of our arrival, was held the last council of war.

Mr. Davis' escort consisted of five skeleton brigades (2500 cavalry) commanded by Generals Duke, Dibrell, Ferguson, Breckenridge (W. P. C.), and Vaughn.

The President called a council of war to ascertain from these

brigade commanders the true spirit of their soldiers, and presided over it in person. Gens. J. C. Breckenridge (Secretary of War) and Bragg were also present. Of those participating in the council, President Davis alone seemed entirely calm and unaffected by the desperate state of our fortunes. He was affable, dignified, and looked the very personification of high and undaunted courage. Each officer gave in his turn a statement of the condition and feeling of his men, and, when urged to do so, declared his views on the situation. The declarations of all were in substance the same. They and their soldiers despaired of the war being further successfully conducted, and doubted the propriety of prolonging it. They said that the honor of the soldiery was involved in securing Mr. Davis' safe escape; that they would not surrender, if it were possible to avoid it, until that object was accomplished, and that if need be they would risk battle to attain it; but, that done, they would not ask their men to struggle against a fate which was inevitable and forfeit all hope of restoration to their homes and friends.

Mr. Davis declared that he wished to hear of no plan which had for its object only his safety; that 2500 brave men were enough to prolong the war until the panic had passed, and they would then constitute a nucleus for thousands more to gather around. "He urged us," says General Duke, "to accept his views. We were silent, for we could not agree with him, and respected him too much to reply. Mr. Davis then said bitterly that all hope was gone,—that all the friends of the South were prepared to consent to her degradation. When he arose to leave the room he had lost his erect bearing, his face was pale, and he faltered so much in his steps that he was compelled to lean upon General Breckenridge. It was a sad sight to men who felt towards him as we did. I will venture to say that nothing he has subsequently endured equaled the bitterness of that moment."

Besides the escort, the President's party consisted of Hon. Jno. H. Reagan, Postmaster-General and Acting Secretary of the Treasury, Col. Wm. Preston Johnston, Col. John Taylor Wood, Lieutenant Barnwell, of South Carolina, and myself, and the faithful colored servant of Mr. Davis, James Jones.

We had no wagon or ambulance. Mr. Davis had a small pack-mule, carrying his blankets and valise. I had a led-animal,

having recently bought a fine horse. The others had but one horse each.

For some time my Richmond animal was a little lame and unable to keep up with the President's elegant horse "Kentucky," a present sent him by a party from that State. I determined, if possible, to procure one that was as good a traveler. We fell in with a Kentucky quartermaster who had a superb roadster, black as a raven, thoroughly gaited, and a beauty. He placed his price at \$125 in gold. I paid for him with \$20 in gold, borrowed from Judge Reagan, and a bill that I had with me. When I left Texas Mr. Warren Adams, a neighbor of mine, gave me a twenty-pound English bank note to hand a party in Virginia. I secured that note by wrapping it in my pants. I never did find the party to whom I was to pay it. That note, which would have purchased a cartload of Confederate money at that time, was the one I used in payment for the horse, and I paid its value in gold to Mr. Adams upon my return to Texas.

While mine was lame, General Breckenridge very kindly loaned me one of his horses, an admirable one. I became very much attached to it, and I offered for it fifty cows with their calves, well worth \$500 in gold, and agreed to write to my stock-keeper to brand and keep them for him for one season,—a little fortune for one of his younger children. For some reason he would not sell, but said: "He is yours to use at all times."

That offer, to a Texas cow man, would sound as big as "my kingdom for a horse." The truth is, \$125 in gold in the last days of the Confederacy and 100 head of cattle on my ranch near Houston was something to speak of. Richard's kingdom, at the time he offered to barter it, was not.

Continuing in a westerly direction, we reached the Savannah River, and halted awhile on its banks. Here, through the influence of General Breckenridge, the troops were paid a portion of the gold brought out from Richmond, and here Dibrell and Vaughn, with their men, remained to surrender. Our party, growing smaller all the time, arrived in Washington, Ga., about the 4th of May. I had the good luck here to meet up with my friend Gen. Tom Harrison, commander of the Texas Rangers. He had been severely wounded in North Carolina, and, having no clothing, obtained a few necessary articles from me. Judge Reagan remained awhile in town to close out the Confederate

treasury business. This he did in short order, causing to be burned about \$100,000 in Confederate notes. Judge Reagan overtook Colonel Johnston and myself at a country blacksmith shop, and resuming our journey together, we soon overtook our party.

After leaving Washington and before reaching Sandersville, Ga., all our remaining cavalry commands dropped out, going in various directions.

At Sandersville we fell in with M. H. Clark,⁹⁸ acting treasurer. When about separating he suggested to the members of the staff that we would need funds for our subsistence and transportation, and that if we would take \$1500 each in gold he would pay us that sum. This offer we accepted, giving the following form of receipt:

"SANDERSVILLE, GA., May 6, 1865.

"\$1500.

"Received of M. H. Clark, Acting Treasurer C. S., fifteen hundred dollars (\$1500) gold coin, the property of the Confederate States, for transmission abroad, of the safe arrival of which due notice to be given the Secretary of the Treasury."

[Signature.]

No funds were given to the President. I have learned that Judge Reagan was prevailed upon by the Treasurer to place in his saddle-bags some \$3500. The judge had quite an amount of his own funds with him.

Preston Johnston remained in Sandersville to transact some business. Judge Reagan and myself also stopped subsequently to reclaim one of our horses which had been stolen. When we met Colonel Johnston again he told us he had some very important intelligence for the President, and that he must hasten to him. The news was that he had reason to believe that Mrs. Davis and party were on a parallel road with us a few miles

⁹⁸ In after years Mr. M. H. Clark wrote to Mrs. Davis (October 6, 1890), as follows:

"I came out of Richmond with him [President Davis.—ED.] the chief and confidential clerk of the executive office, in charge of the office papers, a member of his military family, composed of his cabinet and staff, and I was close to his person until he parted with me on May 6, 1865, near Sandersville, Ga., and sent me in charge of our wagon train, he leaving 'everything on wheels' to join you."

across the country, and that a band of deserters and discharged soldiers were following her train with the view of robbing it of the mules and horses, and probably of their subsistence.

"Colonel," said I, "these rumors may be incorrect; your report may change the plans of Mr. Davis. Burton Harrison is with Mrs. Davis; he will take care of her, and we had better not stop to look after the train."

"Colonel," he promptly replied, "I have been with Mr. Davis and his family a long while; I know him better than you do. He would never forgive me if I should withhold this information from him. He would say: 'It was your duty to give me the facts, and let me decide the course I should take.'" So saying, he pushed on.

Judge Reagan and myself got to the camp the presidential party had vacated after night. There we found a guide who was to take us over the country and enable us to rejoin the President. We were well mounted and rode very rapidly. The guide knew the country well and took us straight through fields, letting down fences and riding through gates. About midnight we overtook the President. After the usual greetings the entire party moved forward, our horses pushed to a brisk canter. Some time before daylight we were halted. The guard challenging us was Burton Harrison. Anticipating an attack from marauders, he was on the alert, and had thrown out pickets with instructions to keep a sharp lookout. We were soon in camp, where the President had the pleasure of embracing his wife and children in their tent, and we betook ourselves to rest as best we could.

Although quite tired, we were astir early, and immediately after breakfast resumed our journey. The President's party, very small before and without a wagon or tent, was largely increased by Mrs. Davis and her train, composed of several wagons and ambulances, driven by paroled soldiers. As a consequence we could move but slowly.

The train had been provided by the quartermasters to convey her and family, with necessary stores, to a place of safety.

After traveling a few miles, Mr. Davis took leave of his family. Col. Burton Harrison, with Mrs. Davis, was to proceed to a ferry on the river, while the President was to take a road leading up the river, cross at a ford, and travel in a somewhat

opposite direction. Upon arriving at the ford (quite a distance), we could not cross, the stream being much swollen. There was no alternative but to drop back and take the ferry. We arrived there after night. The road was so boggy that it was almost impassable, and reminded me of the Brazos and Trinity bottoms during a rainy season.

There we found that Colonel Harrison was still at the ferry with a portion of his train not yet passed over the river. After great delay we crossed and again struck camp together.

We were moving quite early next morning. Fully realizing that so large a party would be certain to attract the attention of the enemy's scouts, that we had every reason to believe were in pursuit of us, it was decided at noon that as soon as we had concluded the midday meal the President and his companions would again bid farewell to Mrs. Davis and her escort. We halted on a small stream near Irvinville, Ga., and dinner over, saddled our horses, and made everything ready to mount at a moment's notice. Time wore on, the afternoon was spent, night set in, and we were still in camp. Why the order "to horse" was not given by the President I do not know.

Next morning, May 10, 1865, just before daylight, during a cool, drizzling rain, we were awakened by sharp firing on the opposite side of the stream.

Col. John Taylor Wood and myself slept under a pine tree, fifty or one hundred feet from Mr. Davis; the others being nearer his tent. We sprang immediately to our feet. Colonel Wood put on his Yankee blouse and escaped;⁹⁹ the best thing for him to do, as he had incurred the special hatred of the Yankees by his naval exploits. Drawing on my boots, I secured my horse, which was tied close to my head, and held him by the reins.

By this time the Federal troopers were on us. We were scarce called upon to surrender before they pounced down upon us like

⁹⁹ Colonel Wood, after leaving us, fell in with General Breckenridge, and they made their way together to Cuba, and thence to Montreal, Canada, from which place Colonel Wood wrote, under date of July 27, 1865, to my wife at Houston, speaking in very complimentary terms of my behavior when the enemy entered our camp, expressing the wish that I might soon be restored to liberty, and stating that nothing would afford him greater pleasure than to render Mrs. Lubbock any service in his power.

freebooters, and in a short time they were in possession of very nearly everything of value that was in the camp. I resisted being robbed, and lost nothing then except some gold coin that was in my holsters. I demanded to see an officer, and called attention to the firing, saying that they were killing their own men across the branch, and that we had no armed men with us. It transpired that the Fourth Michigan, who captured us, and an Indiana regiment, coming on us from opposite directions, were firing into each other, killing and wounding a number of their own men.

While a stop was being put to this I went over to Mr. Davis, who was seated on a log, under guard. I wish here, in the interest of the truth of history, and from my own knowledge, to emphatically brand as false the statement that Mr. Davis was disguised in female apparel. He was dressed in the clothes he wore the day before, and his bearing was such as might have been expected from a man who had often met perils unmoved,—that of a brave soldier, a great general whose sun was sinking below the horizon after stormy days of battle, of a noble patriot capable of dying, if fortune so willed, upon the block without the tremor of a muscle, without blanching of the cheek by the absence of a single wonted crimson drop, and with flashing eagle eyes undimmed. He sat firmly erect, and looked in all respects more the ideal hero than in the hours of his greatest prosperity.

The man who a few days before was at the head of a government was treated by his captors with uncalled for indignity. To cite one instance is sufficient: A private stepped up to him rudely and said: "Well, Jeffy, how do you feel now?" I was so exasperated that I threatened to kill the fellow, and called upon the officers to protect their prisoner from insult.

The conduct of the captors throughout was marked by anything but soldierly bearing. They found no preparations for defense, and encountered no resistance, and could have well been magnanimous, as they had secured such a prize; but they showed the smallness of their souls all the way from overbearing conduct down to the pilfering of small articles.

After the excitement of the capture was over, the wounded cared for, and the killed buried, Colonel Pritchard, in command of the Union troopers, promised he would parade his regiment, recover the stolen property (money, watches, and other things),



JNO. H. REAGAN.

F. R. LUBBOCK.

JNO. TAYLOR WOOD.

WM. PRESTON JOHNSON.

BURTON N. HARRISON.

and return it to the owners. The parade was not ordered, nor was anything that had been stolen returned, not even the articles that belonged to Mrs. Davis. Her horses, given her by the citizens of Richmond, were unharnessed and appropriated, although we all protested and assured Colonel Pritchard that the horses were her private and personal property. During all this wretched time she bore up with womanly fortitude. She may have expressed to her friends her indignation at the conduct of our captors; but her bearing towards them was such as was to be expected from so elegant, high-souled, and refined a Southern woman.

The children were all young, and hovered about her like a covey of young, frightened partridges; while her sister, Miss Maggie Howell, was wonderfully self-possessed and dignified.¹⁰⁰

When I think of the terrible trial that tested their souls, I feel that the heroism of our armies was surpassed by the moral courage of our women.

Except Colonel Wood, Lieutenant Barnwell was the only one of our party who escaped.

The prisoners were next arranged in accordance with orders, and Colonel Pritchard, with his command as guard, took up the line of march for Macon. On our way thither we received a most notable piece of news. It was Johnson's proclamation of \$100,000 reward for the capture of Mr. Davis, who was charged with being an accessory to the assassination of Mr. Lincoln,—a charge so preposterous to those of us who knew him that we were at a loss to account for its having been made until we became more fully acquainted with the blind rage that possessed the Northern people.

I rode my fine Kentucky horse to Macon. Upon his back was one of those beautiful "Hope" saddles known to all old Texans, presented to me by my friend C. K. Hall, of Bastrop. I had it completely rigged when going into the army. I had used it for many years before, when I almost lived in the saddle. I was never thrown out of it, and loved it nearly as well as I did my spurs, not only for the use I had out of it, but the sentiment surrounding it. When I dismounted at Macon I told the officer

¹⁰⁰ The coarse indignities of the Yankees on this occasion were wholly inexcusable.—ED.

that I would like to retain my saddle; that I would pay more than its value in consequence of its having been the gift of a friend. He replied, "The government wants your saddle." I answered sharply, "I reckon you want it." There was a good double-reined bridle on the horse. I had no strap on my Mexican blanket, which he tried to take from me. I took my knife out of my pocket, and in an instant cut the reins off close to the bit, saying, "Well, I will just take these to strap my blanket." He looked daggers at me, but I kept the reins.

Here I managed to write a letter home, which reached there after a very long time. I still had paper of the executive office of the Confederate States, and wrote upon it. I suppose it was my Texas experience in rough traveling, added to my methodical way of carrying on business even under difficulties, that accounts for my being so well equipped at the end of such a long and rapid retreat. My saddle bags were not only supplied with writing material necessary to the business of an aide, but I had a sufficiency of good clothing on my pack horse, a Mexican blanket, and other necessities; wore a good new uniform and new boots, retained my valuable gold watch, and had money enough in my possession to have been murdered if it had been known.

I was equipped for a campaign, and lost nothing upon being made a prisoner but my horses, saddle, and pistols, and part of the money deposited in my holsters.

Here is the letter home:

"MACON, May 13, 1865.

"My Dear Wife: I am at this place a prisoner of war. The President, with a small party making their way to the Trans-Mississippi, was captured on the 10th near Irvinville, Ga., about 100 miles south of this place.

"It is said we will be sent to Washington immediately.

"Do not be uneasy, my dear wife. I am in fine health and about as well treated as could be expected. I will endeavor to write you frequently. Keep up your spirits, my sweet wife. All will yet be well.

"You had better sell cattle if you can occasionally for specie, and secure it in case you should need it.

"I can not yet determine what I shall do.

"I shall stand by the country as long as there is a government

or any hope. I can not say much at present. God bless you and all at home. Give my love to all. Kiss the children for me, and believe me, my dear wife,

"Yours most truly,

"F. R. LUBBOCK."

The children referred to were our nieces and nephews.

This letter makes plain that I wished to provide specie for an emergency, though what that might be I could not decide, and shows that I still clung to a hope for the Confederacy. That hope was founded upon my high appreciation of the western army, and it gives me pleasure to remember that, just as I was writing that letter, though the President was captured, the Confederates in Texas won a victory in a fight, the last of the war, near Brazos Santiago, and Gen. Kirby Smith did not surrender until two weeks after, May 26, 1865.

From Macon we were taken by rail to Augusta, thence by boat to Savannah, and from the latter place by gunboat to Fortress Monroe, at the mouth of the James.

At Augusta our number was increased by Vice-President Alexander H. Stephens, Senator Clay of Alabama, with his handsome, spirited wife, and Gen. Joe Wheeler, chief of cavalry in the Army of Tennessee, with his adjutant, Captain Rawle. The region about Augusta was the territory in which this dashing cavalry commander displayed so much heroism, driving back to their base marauding parties sent out from General Sherman's lines on his march to the sea.

Mr. Clay was included in Mr. Johnson's proclamation with Mr. Davis, and voluntarily surrendered himself to meet the charge.

It is proper here to state that General Wheeler had met Mr. Davis when at Charlotte, from which place, after consultation, he repaired to Greensboro for his cavalry force to form part of the presidential escort; but by an unforeseen mishap failed in his purpose and did not see Mr. Davis again until they met as prisoners at Augusta. General Wheeler, some years later, when a member of the United States Congress from Alabama, thus wrote in his "Reminiscences of Jefferson Davis":

"I next met Mr. Davis at Augusta. . . . We went to Savannah on a small steamboat, thence to Hilton Head, where we

boarded the transport Clyde, and, convoyed by the frigate Tuscarora, we sailed for Fortress Monroe.

"Our party included Mr. and Mrs. Davis, their daughter, a very young girl in short dresses, and Miss Winnie, a baby in arms; also Miss Howell, a sister of Mrs. Davis; Mr. Reagan, Senator and Mrs. C. C. Clay, Alexander Stephens, Col. Preston Johnston, Cols. F. R. Lubbock and Burton Harrison, of Mr. Davis' staff, and my three staff officers, Col. Marcellus Hudson, Captain Rawle, and Lieutenant Ryan.

"We formed a very pleasant group, and, considering all things, enjoyed the trip more than might have been expected. Mr. Davis' noble courage never forsook him for a moment; he was perfectly calm and seemed to have no regard for himself or his fate. He fully appreciated the sad condition of the people of the Confederacy, and much that he said showed how clearly his penetrating mind peered into the future. . . . I saw two possible chances for his escape, both of which I made known to him, but he expressed himself as not desiring to make the attempt. It was evident that he felt his relief from responsibility, and, amid all his trials and troubles, he evidently enjoyed the pleasure of having a few days which he could so entirely devote to his family. He walked the deck with his baby, Winnie, in his arms, and frequently allowed me the same privilege, which I was always delighted to accept. We were at sea several days, the Tuscarora always being near us."

In the late Spanish war General Wheeler left his seat in Congress to accept a commission as major-general of volunteers in the United States army, and greatly distinguished himself in the campaign before Santiago de Cuba. The fame of this gallant ex-Confederate and now United States soldier is fresh in the minds of all the people of the restored Union.

As to Vice-President Stephens' demeanor, as far as Fortress Monroe, General Wheeler said: "Mr. Stephens and myself occupied the same stateroom. He was less cheerful than Mr. Davis, and seemed very much more apprehensive regarding our fate. I tried to reassure him, and reminded him of his Savannah speech, and of his extensive acquaintance with men who held prominent positions in the government; but my arguments were without effect, and he expressed himself as convinced that his confinement would be very long, if not perpetual. I said, 'Why,

Mr. Stephens, if you expect such treatment, what about Mr. Davis?' His only reply was: 'My young friend, do not speak of it.'"

When we arrived at Fortress Monroe Mr. Davis did me the honor to request of the United States government that I should be permitted to share his prison with him. This was promptly refused.

For the next two years this fortress was the place of his imprisonment, the severities of which he endured with manly dignity and heroic fortitude. Senator Clay was also incarcerated here. Their families were sent back to Savannah.

Vice-President Stephens and the Postmaster General, John H. Reagan, were sent to Fort Warren, in Boston harbor; Col. Burton N. Harrison, the President's private secretary, to the old Capitol prison, Washington, D. C.; and Gen. Joe Wheeler, Col. Preston Johnston and myself to Fort Delaware, on the west side of Delaware Bay. We were conveyed to Fort Delaware on the steamer Maumee, Commander Parker, now a prominent lawyer in New York.¹⁰¹

On the trip Captain Parker was very kind, and said: "Colonel, if you will make no attempt to escape, I will with pleasure give my room up to you." I readily gave the required promise, telling him I could not swim well enough to attempt an escape, and that I had no intention of committing suicide.

From that time forward I had a comfortable voyage.

¹⁰¹ In 1890 (while I was State Treasurer) Captain Parker called upon me at the capitol, and we passed some time together in pleasant conversation. It was deemed quite a notable fact that, after so many years, he and his three prisoners should all be alive and getting along well in the world—General Wheeler a member of Congress from Alabama, Colonel Johnston president of Tulane University, Louisiana, and myself State Treasurer of Texas.

CHAPTER THIRTY-TWO.

Life in Prison — General Schoepff — My Bare Quarters — Hard Fare — No Books but the Bible and Prayer Book — No Letters Allowed to Go Out or Come In — A Ruse — News — Release — Washington City — Interview with Secretary Stanton and President Johnson — Return to Texas via Cairo and New Orleans — Welcome Home — The Situation in Texas.

As I entered the barracks at Fort Delaware I was met by my friend Colonel Manning, of the Third Arkansas, who most cordially welcomed me to the prison. I smiled and said: "Colonel, the mischief you are glad to see me here!"

"Well," he answered, "Lubbock, I meant if you had to be in prison, I wanted you with us."

Housed in the quarters to which we were directed were 2500 Confederates, in charge of a North Carolinian, Colonel Hinton, one of their number, who was held responsible for their good conduct. I was told to select a bunk, which I did up on the third tier, and commenced earnestly to fix for such comfort as prison life could afford. I arranged my blanket and clothing, and gave my soiled linen to a lieutenant, who agreed to wash them, after which I took dinner, by invitation, with friends, a very fair prison dinner; also my supper. I purchased a few trinkets, whalebone rings, made by some expert carver, to give him a little spending money. Each officer brought his particular talent into requisition to contribute to his comfort.

Through the day I met many friends, and thought I was about to have a good time with so much good company, despite the sorrowful circumstances. My fellow captives were very cheerful, as they expected to be released in a few days.¹⁰²

After a pleasant evening I climbed into my bunk and slept well, getting up next morning quite refreshed.

After breakfast an officer presented himself and asked if I was Colonel Lubbock.

¹⁰² June 6th all the privates and officers up to captain inclusive were ordered released, on taking the oath of allegiance. The higher officers were to be released, so we were informed, after the discharge of all the others.

Being told that I was Colonel Lubbock, he said: "General Schoepff, the commandant, wishes to see you at his headquarters over at the fort."

I replied: "I will accompany you at once."

As I moved off with him, he said: "You had better take your things with you."

I answered: "My clothing has been given out to wash."

"Oh, we will attend to that," he rejoined.

Getting my saddle-bags and Mexican blanket, I accompanied him, supposing that the General intended giving me more agreeable quarters in the fort, and probably wished to interview the whilom War-Governor of Texas and aide-de-camp to the President of the Confederate States.

If these were my thoughts, and any visions of comfort for my captured carcass flitted through my imagination, they soon vanished when I was invited to a seat on a gun-carriage, with two sentinels placed over me.

I was then informed by the provost marshal that they were preparing a suitable room for my sole accommodation, which I thought very nice of them. At 12 o'clock, having occupied my seat since 8 o'clock, a soldier handed me a tin cup of bean soup out of an apparently very dirty wooden pail; also a small piece of pickled pork, hard tack, and a bottle of vinegar.

I may say right here that I made up my mind when captured never to wince, if I could avoid it, in the presence of one of my captors or guards,—to take everything as it came and be cheerful. So when being marched along the highway to Macon, I treated everything that happened lightly. When asked by Colonel Pritchard when I thought the cause lost, I replied: "When you captured President Davis and me," a pleasantry that called forth a hearty laugh from him, as was intended.

Now, being hungry, I ate everything they gave me except the bottle of vinegar—scraping up the last crumb. Upon the guard remarking that I seemed to enjoy my dinner, I replied: "Very much. It is the best meal I have had in six months; the soup was fine, if it did come out of such a dirty bucket. Do you always feed so well?" and at once I proceeded to let my belt out several holes.

I was kept on that gun-carriage until dark and then taken to the quarters they had been so many hours in preparing for me.

When I entered, will you believe it? (the war was over and all of our armies had surrendered and returned home) I found myself in a room about 12x14 feet, its door and three windows iron-grated with regular prison bars, the windows looking out on a wide moat filled with water. The floor had been scrubbed and was still wet. The walls had just been whitewashed, or rather smeared over with lime, and were also wet. There was no chair, or bed, or blanket, to rest upon, or indeed any article of furniture,—there was just the floor, ceiling, and four walls, and there was no light except that furnished by the lamp in the hall.

I used my saddle-bags for a pillow, and my Mexican blanket, which I had kept them from robbing me of, to sleep upon. My pillow was hard, but there was a big grain of comfort in the fact that it still contained my Confederate gold.

Two guards watched at my door, and at times during the night they would come and thrust their lanterns into my face, for what purpose I know not. Probably it was to see if I was hatching treason, or possibly they thought I would attempt suicide. I have tried to think of some motive for it besides unmitigated meanness. I may have been ready for "treason, stratagem, and spoils"—but never for suicide. I wasn't built that way.

I had for my breakfast next morning a piece of fresh beef, some baker's bread, and water. Then, for dinner, bean soup, pickled pork, hardtack, and all the water I desired; and day by day I had beef three times a week and pickled pork the other days, hardtack and baker's bread alternately, vinegar, salt, and pepper. They never did give me a cup of coffee or tea.

After a few days I sent for the provost marshal and told him unless he gave me a bed to sleep upon, I would demand to be sent to the hospital; that I would not stand the floor any longer. I was then furnished with a sack filled with hay on a wooden bunk.

Some time after that a Dr. McClellan, cousin to General McClellan, was assigned to duty at the fort. He visited me, and upon seeing how I was treated became quite indignant, saying: I will see the general and get permission to furnish you with necessary bedding." The day following he sent me a mattress, pillow, pillow-cases, and sheets, promising when they were soiled to have them changed. He also sent me a book from time

to time, and after his interesting himself in my behalf, I was furnished with a seat and table.

I was not allowed to write to my wife. I managed, however, through the guard, to get many letters out and to receive a few in return, writing of course and receiving answers under a fictitious name, that of Saltus, the name of my maternal grandfather.

While it was positively prohibited for the guards to converse with me, in the course of time I had so impressed myself upon them that, when the officer was out of the way, they would listen to my story. Many of them were Germans, and I told them of my canvass against the Know-Nothings, and that gained their friendship, and I won the sympathy of all. Some of them would get me pencil and paper when I desired, and deliver my letters to a boatman (who carried the mail) and receive the answers. They would accept little mementoes of the Confederacy from me, such as postage stamps with Mr. Davis' photograph on them, and paste them in their hats with Mr. Lincoln's. They would sometimes say: "Give me something so that, if we come to Texas, you will know us."

On one occasion there was quite a scene with the provost marshal and myself. Owing to the watchfulness of an officer, one of my letters to my wife was intercepted. It was brought in by the provost marshal. He confronted me with it and attempted to give me a lecture for writing, stating that I knew it was against the prison discipline. I answered him I had written, and he could rest assured I would continue to do so whenever opportunity offered; that it was dastardly cruelty to prohibit me, a prisoner, from writing to my family, when I had offered to submit my letters to him before mailing. I continued to get letters in and out, and finally, three weeks before my discharge, was granted formal permission to write and receive such communications.

The first thing Mrs. Lubbock heard of me after I was taken North was through the following advertisement:

"TO MRS. LOBOCK, OF TEXAS.—Your husband, Col. Frank Loboek, is confined at Fort Delaware in good health and spirits.—A. T. Texas papers please copy."

She always kept that little scrap of well worn newspaper (cut from a 25-cent advertising column) among her sacred treasures.

I think the advertisement was inserted by a party, walking below, whose attention I attracted while I was taking exercise on the parapet one day, and to whom, without consulting the guard, I called out: "Let Mrs. Lubbock, of Texas, know that her husband, Col. Frank Lubbock, is here a prisoner in good health and spirits."

I wish that he knew that this little piece of paper was far more to my wife than all the handsome notices of her husband that had ever been in print. Those she lost; this she treasured. Why don't people take the trouble to do more little things like that, instead of wishing for millions, to make the human race happy?

Prison life brings about strange incidents. It also sharpens one's wits. On one occasion, while walking for exercise, I saw an old newspaper on the parapet, near the gun-carriage. It had been used for wiping the coal tar off one of the guns. I was watched very closely by the guard, and at that time was not allowed to see a newspaper. I very hurriedly picked it up and put it in my coat pocket. It proved a great comfort, as it gave me much information concerning my Confederate friends. It gave a full account of the escape to Florida of General Breckenridge, Mr. Benjamin, and Col. Taylor Wood, and much other welcome news.

It may be asked how I got to read it when I was so closely guarded. It was in this wise: I was allowed to close the door when bathing. This done, I would get in the tub (a large half-cask that I had impressed into service) and read, at the same time making a great splutter in the water.

On another occasion the soldier-convict who brought me my meals presented me, although he said it was contrary to orders, with a bologna sausage that a prisoner had sent to me. I placed it away to be eaten at a more convenient season. Upon attempting to cut it, I found it was hollow and contained something instead of sausage meat. I immediately concluded to take a bath, and upon testing the sausage I found it contained many feet of newspaper margin written all over in pencil with great news for me. It was sent by Burton N. Harrison, Mr. Davis' private secretary, who had been brought from the old Capitol prison, at Washington, D. C., and placed in Fort Delaware. He knew that I was in the fort, but I did not know that he had been transferred there until he gave me the intelligence in my bologna

sausage, together with other information quite interesting to me. He gave me a most satisfactory account of the escape and safe arrival at Havana of my friends and companions,—General Breckenridge, Mr. Benjamin, and Col. Taylor Wood.

After being in prison some time, and while walking on the parapet, I noticed a man observing me intently and making signs at me. I discovered they were Masonic signs, and I answered them.

He was the sutler at the fort, and had known me in Texas. He informed General Schoepff that I was a Mason. The general called on me, and, after satisfying himself that I was a member of the order, said: "If you have money, you can purchase from the sutler such articles as you need to make you more comfortable. I have issued to you the rations allowed by the government."

Not wishing to let him know that I had money secreted, I answered, "I will draw on my friend Mr. J. H. Brower, of New York."

I gave him the check. He collected the money and gave me from time to time the amount I required. I at once commenced getting coffee, canned vegetables, and fruits, and living much better than when I was limited to government rations, and far better than when I was a Confederate soldier. But to win our cause it would have been sweet to live on husks. That it was lost was the only hardship worth mentioning. The humanity of the surgeon and the guards had given me a bed and an opportunity to hear from my wife, and my credit in New York was doing the rest; and I felt like a veritable banker with my little handful of money still secure in my possession.

When the \$1500 was given me for safe keeping by the treasurer, I secreted quite an amount of it in an inner pocket of my saddle-bags, where, without close inspection, it would not be discovered, and also a large part in my heavy cavalry boots, which I had ripped open for that purpose. It made my boots quite heavy, and when walking I appeared almost lame. Some little I secured about my person. The remainder I rolled well and put in my holsters.

Had they taken my saddle-bags, or searched me, my gold would have been found. Upon going into prison I took a pair of deringers from my saddle-bags and some other things, and handing

them to the provost marshal, said: "I suppose you prefer to take care of these." This, I suppose, as I intended it should, prevented him from entertaining suspicions that would have induced him to search me.

My life in prison tested my strength very severely; not only because I, fond of companionship, was in solitary confinement without amusement of any kind, but because I had no employment, who am constitutionally and by habit a worker.

I kept up my spirits, however, being determined to stand it like a man. I was well aware that this period of durance must come to an end in a few months, and in the meantime I took kindly to the occupations and pastimes and companions that could be found inside my prison bars.

One good thing I did was to read the Bible and prayer book through. They were such good Christians that they furnished these before they gave me a seat or a bed. But in those days I was not prepared to derive the pleasure and benefit I ought to have received from pious reading and meditation. Like my friend Moody's man, I was sure there is a "hell;" I did not see the "heaven" so clearly—and all the charm there is in reading the Bible flows from a knowledge of *the truth that there is a heaven*.^{102a}

^{102a} When Col. W. L. Moody, of Gregg's regiment, after being severely wounded was returning home from the east side of the Mississippi, he with a number of companions drove up to a farm house near Shreveport, La., hailed the owner, and inquired if he could get some fodder to feed his mules. The farmer seeing they were soldiers, and fearing he would have to supply fodder without remuneration, commenced at once pleading poverty, that he was a poor man and had but little fodder.

Colonel Moody, in his quiet preacher-like way, said to him: "My friend, I knew you were poor, or I would not have applied to you. The poor man, always kind and charitable, expects to receive his reward in heaven."

"Heaven? heaven?" the man replied, "I dunno about that!"

"Why," said the Colonel, "don't you believe there is a heaven?"

"Well, I dunno," was the reply.

"Do you not believe, then," asked the Colonel sharply and severely, "there is a hell?"

"Oh yes, *I know* there is a hell; there is just as much needcessity for a hell *as for a jail in Shreveport*." (Shreveport was a wild place in those days.)

This reply greatly excited the risibility of the home-going Confed-

At times I repeated aloud everything that my memory could recall,—prose and poetry. When opportunity offered I talked to the guard and sometimes had the pleasure of receiving an answer. Noticing a few mice creeping about the cell when they thought I was asleep or would not see them, I fed and tamed the little fellows and we became good friends. The only fault I found with them was that they were “quiet as mice.” I polished my boots until I could see my face on their surface, and put in so much time washing my eating vessels that I chapped my hands and made them bleed. At the end of a few weeks I had become so expert in these various occupations that I could have taken a premium over many a professional bootblack or dishwasher. I bathed very frequently, carrying in the water myself. And thus I beguiled the weary hours of my prison life and kept them from enfeebling my body, enervating my mind, or depressing my naturally confident and buoyant spirit. The consciousness, too, of having done no wrong, and the hope of better things, was a mighty and sovereign tonic under such circumstances. I knew that many brave companions of former and happier days, participants in a struggle that I felt assured would be vindicated by the impartial judgment of after times, were like circumstanced, and I was prepared to share their fate, whatever it might be.

A Philadelphia paper in speaking of Col. Preston Johnston, described him as being a tall, commanding-looking man, with large gray eyes, and military mien. “While enjoying his morning walk on the rampart,” said the paper, “he moves very rapidly to and fro, evidently determined that his health shall not suffer for all the exercise he can get.” In the same article appeared a long reference to myself in which occurred the following: “It is strictly prohibited to have any intercourse with State, or in fact any other prisoners at the fort; but as the commandant permitted the writer to go where he pleased, he strained a point and passed a few hurried words with Colonel Lubbock. The colonel stated that he had not been permitted to see a newspaper since his capture.” Then follows a sketch of myself as a member of Mr.

erates, and they greeted it with a generous guffaw, produced money, bought what fodder they needed for their horses, and resumed their journey.

Davis' staff, and my account of our capture, the article concluding thus: "Colonel Lubbock expressed his satisfaction at the manner of his treatment while in our hands, and is evidently made as comfortable as possible under the circumstances. He is permitted to take a walk for half an hour each morning on the parapet of the fort,¹⁰³ attended by a guard. On these occasions he dons a rebel colonel's coat, with three stars on the collar, a well-worn pair of buckskin gloves and military cap, and, thus attended, slowly parades the parapet during the allotted time. He is apparently about 50 years of age; . . . gray eyes; mustache, and short, thick-set figure. He is evidently a man of education, and very courteous and gentlemanly in his manners."

I received a visit or two during the latter part of my imprisonment. One was from Mrs. Rhodes, of California. Her husband was United States consul at Galveston during the days of the Republic. She was a friend of mine and esteemed my brother Tom most highly. She gave me a beautiful Texas star of the Texas Terry rangers.¹⁰⁴ I gave her in return one of my colonel's stars, and also one to Mrs. Schoepff, wife of the commandant of the fort.

At length my brother, Capt. Henry S. Lubbock, was permitted to visit me with a view to securing my speedy release. He, however, accomplished little. He informed me that many charges had been filed against me at Washington, alleging that, while I was Governor, I had been cruel to the Union men of Texas and had even caused many of them to be killed,—a foul and base fabrication, that probably originated with the Union men in Texas, one of whom, so I was informed, stated that I would not be permitted to return to the State, and whom, it is a great gratification to me to record, I made a canvass against some years later in behalf of a Democratic opponent of his for Congress, who was for the Union during the war, but kept his alle-

¹⁰³ Mr. J. H. Colvin, of the Fourth Texas regiment, now one of the Travis county commissioners, has told the editor that while at Fort Delaware a prisoner he frequently saw Colonel Lubbock walking on the parapet.—Ed.

¹⁰⁴ I regret to say that I lost this memento many years later while on a trip through Texas with Mr. Davis.

giance to Texas, and who was elected by an overwhelming majority at the polls.¹⁰⁵

From brother Henry I learned several interesting items from Texas: Governor Murrah's call for a State convention; its failure to meet and the Governor's retirement to Mexico; General Granger's proclamation, from Galveston, of freedom to the slaves; the arrival of Gen. A. J. Hamilton in Texas and his entrance upon his duties of Provisional Governor; that all voters, under the new regime, had to take the following oath: "I, A. B., do solemnly swear, or affirm, in the presence of Almighty God, that I will henceforth faithfully support and defend the Constitution of the United States and the Union of the States thereunder, and that I will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of the slaves, so help me God;" that all the Confederates in Texas were subscribing to the oath as a qualification for the duties of citizenship, and showing by their actions an acquiescence in the new order of things; and that President Johnson's policy of restoring the State to its place in the Union with as little delay as possible was being cheerfully supported by Texans.

I never did understand why I was detained after the general discharge of Confederate officers. It might have been to use me as a witness in the contemplated trial of Mr. Davis for treason. I knew that no charges could be sustained against me as the executive of Texas or as a Confederate officer, and, confident of this, I determined to interview the general commanding in my own behalf. At my request he visited me. I suggested to him that there must be some mistake about my retention in prison; that all officers had been released, and I had come to the conclusion that the government of the United States did not know that I was a prisoner, and that I had a family and some creditors that would like to see me in Texas, where I could be of some benefit to them. He replied that the government was well aware of my imprisonment, adding: "I do not know but that any day I may receive an order to have you shot." Like some of the public prints, perhaps he thought the government might see proper

¹⁰⁵ Governor Lubbock refers to E. J. Davis, who was a candidate for Congress against Hon. John Hancock.—ED.

to strike terror in the hearts of our people by the execution of a certain number of prominent Confederates.

Whatever he meant, I met him half way. "I see that the government is visiting upon the people of the South great hardships, loss of citizenship, and other cruelties," I replied. "Now, if the authorities in power wish to punish somebody, why not select a few of the distinguished men of the South from each State and shoot or hang them, relieving the masses; and should they see proper to select me as one from Texas, I am ready and willing. It would make good reading in history."

He then said: "I can do no good writing to the Secretary of War. He will communicate about you in due time."

I concluded the interview by asking permission to write myself. He assented, and about the 1st of November, 1865, I wrote to Mr. Stanton, in substance, who I was; my rank in the army; how I was captured (that I was captured with my uniform on, performing the duties of an officer); that I had heard there were charges preferred against me and on file; that if such was the case, I desired to be taken to Washington at once and confronted with the accusation and my accusers; that there was no foundation in fact back of the charges; that my being longer kept in confinement could be of no possible service to the government, but on the contrary would entail useless expense; and, lastly, that I wished to return to my home to support my family and to pay my debts.

The Masons also took prompt measures in my favor, forwarding papers by a Mason to the order in Washington City in order that they might be brought to the attention of the government. This caused my wife to look with favor upon my Masonic friends, and when I was released and returned to tell her that I had received many benefits from being a member of the order, she seemed to relent, and from that time to her death she appeared reconciled to Masonry, much to my gratification.

In about three weeks General Schoepff received an order to discharge me. I was given no explanation of the whys and wherefores of my long detention or of my liberation, and I asked none.¹⁰⁶

¹⁰⁶ The news soon spread by wire to Houston. The *Telegraph*, in announcing my liberation in its issue of November 27, 1865, said: "We are exceedingly gratified to be able to inform our readers that ex-Gov-

The things that I surrendered were all returned to me on my leaving the prison, with the exception of a fine gold pen, which was reported lost. The derringers I presented to Mr. W. B. Wortham after I became State Treasurer.

I divided the gold with those of my companions captured with me who needed money,—good Confederates, who served from first to last. I found no Confederate government to which I could report when I was discharged from prison, and the Federal government had no right whatever to it. Our party made no terms of surrender. The amount left on hand would not pay me for my Kentucky horse, taken when I was captured.¹⁰⁷

Judge John H. Reagan, who was released several months before I was, said to me in the course of conversation not long since: "When calling upon President Johnson, immediately after my release, to get my parole papers changed, I asked for permission to visit Mr. Davis, which was denied. I also asked for your release, whereupon Mr. Johnson told me that you were charged with murder. I immediately answered: 'Governor Lubbock is incapable of such a thing, and I demand for him a trial. He can disprove the charges.'" No doubt what Reagan said helped to influence those in authority to release me without going through the troublesome farce of a trial. My good friend Reagan, God bless him! was as true to me then as when, a few months before, he stood ready, with hand under his coat on his sixshooter, to take a part if the miserable fellows who tried to rob me after I was captured had attempted to kill me, as they threatened.

I was held in solitary confinement in one of the iron-bound rooms of Fort Delaware, with guards over me the entire time, for about eight months.

I have described how the rich government of the United States treated her prisoners after the restoration of peace; and yet some of their officials and people are still harping upon and abusing

ernor Lubbock, of this State, who has been confined in Fort Delaware ever since last May, was released on parole last Thursday and is now, we hope and trust, on his way home. He will be welcomed by many warm friends with sincere joy."

¹⁰⁷ I do not know whether or not the story got out years later (during my canvass for State Treasurer), of the obstinacy with which I protected that government gold. If it did, I doubt not it got me many a vote.

the Confederate authorities for not feeding the Federal prisoners with fare that many of our best citizens and soldiers could not command during the war, and this, too, notwithstanding the well-known facts that our ports were closed, our country devastated, and that we persistently, but unsuccessfully, demanded an exchange. I think it is about time for these senseless detractors of the South to cease their railing, for the more the matter is probed the more will be the discredit reflected on the Federal authorities.

When my mind reverts to Major Wirz, whom they hung for cruelty to prisoners at Andersonville, who struggled to do the best he could for his prisoners while our army was suffering for food and medicines,¹⁰⁸ and who refused at the last day a respite offered to him if he would implicate Mr. Davis in the alleged severities at Andersonville, saying "I would not, to save my life, tell a falsehood," I am convinced that many a man has been worshiped who was not made of as good hero-stuff as he.

When I was discharged I was furnished, at my request, with transportation to Washington, D. C., where I wished to have my parole papers changed. Immediately upon my release I started for Washington, by way of Wilmington and Baltimore, in company with my brother Henry. We arrived there at 6:30 a. m. the following day and registered at Delmonico's, on Pennsylvania Avenue. On the 25th, after consultation with a Texas friend, George White, I decided to call on Secretary of War Stanton. Presenting myself without introduction to the adjutant-general in charge of his office, I asked to see the Secretary. The adjutant told me that if I would wait he would secure me an interview; that Mr. Stanton was very busy with General Butler and Governor Hahn.

The ante-room was full of people who had come in before me; but I had no other business, and took a seat to bide my time. In a short while the Louisiana ghouls (Butler and Hahn) came out, and the adjutant-general very kindly gave me precedence of others in waiting, and showed me into Mr. Stanton. I told the Secretary my parole required me to go to Houston and there to remain, subject to the orders of the President. I explained to

¹⁰⁸ They even refused to allow us to purchase medicines within their lines for gold, or to send medicines to us to be used exclusively for their own prisoners and to be administered by their own surgeons.

him that I was a farmer and cattle dealer, and lived in the country, and had no home at Houston. He accordingly changed the papers. Finding him well disposed, I told him I would probably resume my former business, and if so I would wish to visit New Orleans frequently. He then incorporated that permission in my papers, whereupon I thanked him and bade him adieu.

My Texas friends, A. W. Terrell and others, then in Washington, were greatly surprised at my success in being so promptly accorded what I requested.

Among others whom I met in Washington were Simeon Hart; Judge Lem D. Evans, who had very kindly interested himself in my case; my friend Tom Howard and his family, and Judge Burnet, who expressed himself as delighted at seeing me at liberty.

The next thing was to have my transportation changed. It provided for a sea voyage from New York to Galveston. My friend Maj. Tom Howard accompanied me to the quartermaster-general, who, after some persuasion on my part, gave me railroad transportation to Cairo, Ill., steamboat transportation to New Orleans, and ship passage from the latter place to Galveston.

On the 27th Henry left for Philadelphia en route home.¹⁰⁹

The 28th being cabinet day, I failed to see President Johnson, but on the 29th had a short interview with him. His reception of me was kindly and cordial, and in parting he told me to go home and do the best I could "to harmonize the people and forget the past."

I took the train for New York at 11:30 a. m., December 1st, reached the city at 6:30 p. m., registered at the New York Hotel, and, taking a stroll about town, met many Texans. I visited Central Park, Brooklyn, and other points of interest on the 3d, did some shopping on the 4th, and at 9 a. m. on the 5th left for Cairo, via the Jersey Central Railway, and was at last fairly on my way home, to which my heart fondly turned, and from which I had now been absent more than two years.

Passing through Harrisburg, Pittsburg, and Cincinnati, I arrived at Cairo at 6 p. m. on the 7th, and went at once on board the steamboat R. W. Arthur.

One of my fellow passengers down the Mississippi was Hon.

¹⁰⁹ I did not see my brother Henry till I reached Texas.

A. J. Donelson, United States charge d'affaires in Texas during the days of the Republic, prominent in connection with annexation, and a very pleasant gentleman and traveling companion.

After a safe and tolerably pleasant journey I arrived in Galveston. From thence I proceeded to Houston, and had a most happy meeting with Mrs. Lubbock on Saturday, December 16, 1865. I found her pleasantly situated in Commodore Leon Smith's house, which she jointly occupied with Mrs. James Reiley.

Thus ended my captivity and long absence from home. I was once more on Texas soil. My old friends, including E. H. Cushing, former editor of the *Telegraph*,¹¹⁰ gave me a most hearty welcome back to Texas; but the changed aspect of things revived the past and made me sad. The din of war had ceased and the blue had supplanted the gray. Everywhere United States soldiers could be seen moving around with the air of conquerors, and we, the once free citizens of once free Texas, could only speak of governmental affairs with bated breath. The streets of Houston and other cities in the State were crowded with lazy negroes, coming to the military headquarters for rations, clothing, and everything else they could secure. The long war with a close blockade had deprived our people of many necessities of civilized life, and on its termination there was a large importation of goods which sold readily at high prices in greenbacks. Texans found markets for their stock, and there was a general revival of business.

I very soon, however, realized it was not the Texas I had left, and in many respects I was not the same Texan.

A stray copy of the *Mexican Times* falling into my hands, I was surprised to learn that ex-Gov. Henry W. Allen, of Louisiana, was its editor, and, in reading further, to learn that Señor M. F. Maury, of scientific and Confederate fame, was chief of colonization in Maximilian's empire, and that our gallant Gen.

¹¹⁰ The Houston *Telegraph* of December 18, 1865, contained the following:

"We had the pleasure on Saturday of welcoming home our friend F. R. Lubbock, who is just released from Fort Delaware. He comes home in good health and spirits and, according to the New York *Herald*, a loyal supporter of the Union. Like other arrant and rampant rebels, he is glad to get out of war, out of politics, and out of public life. His many friends will join us in bidding him a hearty welcome home."

J. B. Magruder was also a señor in the empire and chief of the Colonization Land Office. There also appeared in the paper notices of General Price, Judge Perkins, of Louisiana; ex-Governors Murrah, of Texas, Polk, of Missouri, and Harris, of Tennessee, who, accepting the inducements held out by Maximilian, had settled in Mexico; and a glowing circular from Chief of Colonization Maury as to the advantages of living in Mexico and the improving prospects of the empire, stating in reference to Confederate colonies: "Bryant, from Arkansas, has established a colony in Chihuahua; Mitchell, of Missouri, another on the Rio Verde, in the department of San Luis Potosi; and Terry, of Texas, another in Jalisco. They rent at first, with the privilege of purchase at a future time at a stated price."

Col. A. W. Terrell was a participant in this emigration of Confederate officers to Mexico. When I met him at Washington he had but recently returned from that country. Confederate colonists, perhaps, would have saved the empire, had Maximilian been true to his pledges; but under the influence of his Mexican advisers, who dreaded all Americans, whether Federal or Confederate, the emperor became jealous, and failed in good faith to his immigrants. The colony soon fell to pieces. The empire did not long survive.

Gov. Z. B. Vance, of North Carolina, said, in 1865, to the ex-Confederate soldiers:

"The best test of the best heroism *now*, is a cheerful and loyal submission to the powers and events established by our defeat and a ready obedience to the Constitution and laws of our country. . . . The greatest campaign for which soldiers ever buckled on armor is now before you. The drum beats and the bugle sounds to arms to repel invading poverty and destitution, which have seized our strongholds and are waging war, cruel and ruthless, upon our women and children. . . . The noblest soldier *now* is he that, with ox and plow, pitches his tent against the waste places of his fire-blasted home and swears that from its ruins shall arise another like unto it. . . . This is a besieging of fate itself; a hand to hand struggle with the stern columns of calamity and despair; but the God of Nature hath promised that it shall not fail when courage, faith, and industry sustain the assailant."

This was the common sentiment of all our great leaders, and

events proved that it was also shared by the private soldiers. Eschewing politics, the old Confederates went to work with a will to repair their shattered fortunes.

If their love of country, bravery in battle, endurance in camp and on the march, and Spartan fortitude in the hour of disaster are sufficient to challenge the admiration of all time, the wonderful racial reserve force and capability of meeting and surmounting hard conditions that they now displayed and that soon enabled them to turn defeat into practical victory, and to lay the foundations for a new and more opulent civilization, dominated by themselves, despite every effort of the victors to prevent it, make them greater than their conquerors. In making up the final verdict of history, all this will be accepted as conclusive evidence that as a people they might be conquered on the battlefield by force of overwhelming numbers, but that in the domain of mind they were the arbiters of their own destinies, and invincible.

CHAPTER THIRTY-THREE.

Beginning Life Anew—Settlement of Debts—Removal to Galveston—Beef Packery—Heavy Losses—Business Tour to Europe—With Ex-President Davis in Britain and France—Return Home.

Mrs. Lubbock and I, as well as others, had to begin anew. We had no home, as our dwelling had been burned; our negroes were all gone; but our land remained, and several thousand head of cattle. Surely many others, thought I, are in a worse condition. Besides, I am healthy and strong and only 50 years of age, and have time enough left me, perhaps, to attain our former station. A canvass was going on for the convention called by Governor Hamilton, but I took no part in that, for I was disfranchised, and was busy day and night with my private affairs.

Having determined to first look after my cattle interests, I secured board at Mrs. Harris', in Harrisburg, whither we removed in a few weeks. This was convenient enough, my ranch being only three miles distant.

I soon tired of ranch life, and, having a competent stock-keeper, I determined to return to Houston and start an auction and commission business.

My adopted son, T. U. Lubbock, was doing nothing, and to give him an opportunity, I associated him with me and established the house of F. R. Lubbock & Son. I rented a small house for us to live in, he having married during the latter part of the war.

Afterwards I procured sufficient lumber from brother Henry, on a debt, to build a residence, and paid for its erection \$150, and we all occupied it. This was a considerable let down from the executive mansion, but it was a satisfaction to me to know that I owed no man for a fine house, like many others, and that I lived entirely within my income. The greatest expense I had to meet was the storehouse rent. That was \$200 per month—for a one-story brick, twenty-five by eighty feet.

I struggled along, however, doing a small business and living economically. I had no help but the occasional service of a negro boy. During the first year I had no fire in the store and I did not keep a chair for fear of loafers. An auction and commission

business has a great attraction for idlers. I was determined not to furnish them any special inducements, and in carrying out that determination had to deny myself some comforts.

I was heavily in debt and my creditors began to press me for payment. The chief creditor was my brother, Capt. Wm. M. Lubbock, from whom I had borrowed \$15,000 in gold before the war and invested it in cattle. I offered at \$12,000, in part payment, my property in the city of Houston, still known as Lubbock's Grove. I refused \$10,000 for it, and delivered to him 3000 head of cattle in full liquidation of the debt. This payment and others seriously affected my stock interests; but it was very gratifying to know that I owed no man anything.

The auction business at Houston not proving profitable, I went to Galveston, opened a house there under the same firm name, in connection with the Houston house, and was shortly thereafter honored by election to the presidency of the Galveston Chamber of Commerce.

Some years later I had a lot of cattle rendered at the Dickinson Bayou Packery, run by P. A. Huffman. The tallow, hides, and beef hams found a ready market, and, the enterprise proving very successful, I determined to extend operations with Huffman as manager, and, carrying out that purpose, established a beef packery at old Anahuac, at the mouth of the Trinity. I sold my cattle ranch and horses to procure the necessary capital to embark in these ventures. I had to entrust the management of the packery entirely to others, and in two years time lost more than \$40,000. The accumulations of years swept away, I had to begin anew the struggle for financial independence. Fortunately, at this unpropitious juncture in my affairs, I obtained remunerative employment with my friends Allen, Poole & Co., large stockholders in the New York and Texas Beef Preserving Company. I secured several valuable contracts for them from the United States naval authorities, and, in pursuance of a mission entrusted to me by them, set sail for Europe on the Cunard steamer *Scotia*, in July, 1872, accompanied by my wife.¹¹¹

¹¹¹ Mr. Clemens (Mark Twain) was a passenger aboard the vessel. The impression made upon me by his person and manner was not flattering. He was, however, represented as an invalid, and I could readily believe that he was. I think his liver must have hurt him all the way over. for he was very cross about everything. I most certainly would

Arriving in Liverpool and securing quarters at an excellent hotel, I called at once on Messrs. C. Grimshaw & Co., a large and respectable commission house that had existed for over fifty years, and to whom I had letters. Mr. Thompson and Mr. Langham, who then constituted the firm, showed me many appreciated attentions, readily entered into a contract to handle our goods, and made me a liberal advance. We made several pleasant acquaintances in Liverpool, among others that of the German consul, Mr. Stoess (from Alsace and Lorraine), who married Mrs. Jefferson Davis' youngest sister, Miss Maggie Howell, whom I was indeed glad to meet again. They had a beautiful residence adjoining an extensive and well kept park, and seemed never to tire in their efforts to contribute to our pleasure. Mrs. McIlhenny, the widowed sister of my friend Judge George Goldthwaite, of Houston, was keeping house in Liverpool, and made things cheerful for us. Mrs. Thompson lived at a lovely little town near Liverpool, where many of the merchants' families resided. I became quite enamored with Liverpool; such a busy place, with its shipping and traffic and extensive public docks; there was a business air, a rush and bustle about the city that captivated me. I found many Americans there engaged in trade—a number of them ex-Confederates, and doing well.

After a trip into Wales I proceeded to London over a line of splendidly constructed railway, the tracks thoroughly ballasted and resting upon a roadbed of almost solid rock.

I was favorably impressed with the evident precautions taken by the railway company (a type of the others, I suppose) to prevent loss of life and accidents and to promote the comfort of travelers. I was informed that every passenger aboard was guaranteed a seat—a comfortable arm chair. Another agreeable feature was the uniform courtesy of the railway employes (which might well be enjoined and sedulously patterned after in other lands).

The immensity of London has been often described, but can only be appreciated by those who for the first time visit the

never have taken him for the great humorist he is and the entertaining writer we know him to be. He was a great disputant on the ship, he and the captain often having serious discussions at the table; and whenever he was beaten at cards, quoits, or any other of the many games played at sea, he became impatient and morose.

world's great metropolis. Greater than Babylon or Nineveh of old, there goes up from it during the busy hours of labor the mingled roar of countless industries.

A great traveler has said that he felt more lonely in the streets of London than in the solitudes that surround Lake Albert Nyanza. This, however, was not my experience. Business affairs required much of my attention. These disposed of, Mrs. Lubbock and I devoted a portion of our time to paying and receiving calls, and what was left, outside of the hours of rest, we employed in sight-seeing, making numerous excursions on the underground railway and visiting the Tower, St. Paul's, Westminster Abbey, Parliament House, the Crystal Palace, Zoological Gardens, and a thousand and one objects and places of interest that, to those who see them for the first time, lead the tourist on with an unsatiated and growing curiosity.

My favorable opinion of England and the English people was greatly strengthened. It is certainly a well governed land, a land of law as well as liberty, abreast in social institutions and commercial methods with the spirit of the age.

We went from London to Calais, and thence to Paris.¹¹² We arrived in the city at night. The streets were brilliantly lighted. Everywhere were to be seen vestiges of the late war with Prussia—in the mutilation or destruction of public buildings and works of art. Each day of our stay, after business matters were attended to, Mrs. Lubbock and I hired a cab and drove about visiting places of interest, and in that way acquired in a short time an excellent knowledge of the city. Mrs. Lubbock greatly enjoyed these excursions, the more so as her father was a Parisian and she spoke French fluently.

I was pleased to meet in Paris Col. A. Dudley Mann, formerly Assistant Secretary of State under President Buchanan, and later one of our Confederate agents abroad. Expatriating himself after the war, he had become a permanent resident of the French

¹¹² I have crossed and recrossed the Atlantic Ocean several times; I have made many voyages in the Gulf of Mexico, and in all my life I have never seen such sea sickness as I witnessed in crossing the English Channel on this occasion. Mrs. Lubbock and I, clothed in sou'westers, occupied seats on the deck of the vessel, although it was repeatedly swept by heavy seas, preferring such discomfort to being cooped up in the stifling and ill-smelling cabin.

capital. He called upon us often and showed us many kind attentions.

From France, extending our tour through Brussels, a miniature Paris, we passed over Belgium (the old battlefield of Europe) to the new German empire. Cologne and Strasburg were found to be very interesting cities, the latter specially noted for its great cathedral and clock. Hurriedly visiting Bremen and Hamburg, cities of historic renown, we then domiciled for a while at Berlin, the great German capital.

Germany is one of the most wonderful of modern nations. Prussia, the controlling power in the empire, sprung into prominence in the eighteenth century under the wise administration of Frederick the Great. With checkered fortunes, she has been ever since forging to the front. By her victories over Austria in 1866, she seized the first place in the Germanic confederacy, excluding her beaten rival. Her magnificent triumph over France in 1870 cemented her power in the unification of Germany, with Prussia at the head—a consummation due to Bismarck's statesmanship, Von Moltke's generalship, the unconquerable valor of the German armies, and the wisdom of King Wilhelm. At this time (1900) Germany has extensive colonies in Africa and elsewhere, a great navy to guard her world-wide interests, and is acknowledged to be the first power in continental Europe.

The German army numbers about 800,000 men, but the military budget costs the Germans less than what we pay for pensions.

We returned from Germany to Paris, and thence to Liverpool; set sail for the United States in December, 1872; reached New York without special incident, and in due time were once more ensconced in our pleasant Texas home.

I had the pleasure of meeting Mr. Davis in New York City in July, 1873, and it transpired that it was his intention, as well as mine, to make a trip to Europe; but, that while I was to sail from New York at a time uncertain, he would return home and shortly thereafter take a French or German steamer at New Orleans. So we agreed that we would meet in England.

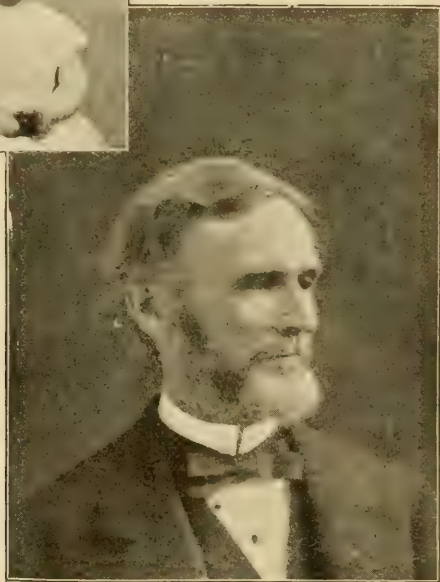
I called at his rooms July 12th, and before I left he handed me a photograph of himself and the following note to Mrs. Lubbock:

"Dear Mrs. Lubbock: Allow me to offer to your acceptance, as a friend who may be willing to preserve it, a picture of myself,

and if it ever looks at you with less than the most affectionate regard, be sure it is not true to the original. My true and gallant friend, your husband, who will hand it to you, can give you its history. Ever sincerely and most respectfully, Jefferson Davis."

The accompanying engraving is a reproduction of this picture of Mr. Davis and of a photograph of Winnie Davis taken about the same time.

WINNIE.



JEFFERSON DAVIS.

The history of the photograph of Mr. Davis is as follows: The card of a lady was sent up to him, and on being invited in she handed him the picture, saying that she had colored it and considered it a fine piece of work; that she had prepared it expressly for him, and thought it was worth five dollars. He without hesitation gave her the money. She thanked him and im-

mediately left. He then turned to me, said that she was probably in distress, and, if his surmise was correct, he was very glad that he had been able to help her, wrote the note to Mrs. Lubbock and handed it to me, together with the photo. Mrs. Lubbock greatly prized the picture and always gave it the place of honor in our home,—a place that it has ever since retained.

I left New York in December, and in due time reached Liverpool, where I found Mr. Davis with Mrs. Stoess and family. We later went to London and thence to Paris. In the former city we had the pleasure of dining with Judah P. Benjamin and of hearing him spoken of everywhere as one of the ablest lawyers in England. In Paris Mr. Davis was the guest of Col. A. Dudley Mann, and I secured apartments near by. The first Sunday we were there I called after my early meal, supposing Mr. Davis would wish to attend church, knowing it to be his constant habit. Upon inquiry I found they were not going out, and they invited me to remain, as the service would be held in the house. The Episcopal service was read and religious conversation indulged in. The explanation given me for not attending church was that during the war the Episcopal clergyman, through the influence of the United States minister (Mr. Dayton), refused to recognize the Confederacy in his prayers, thereby offending Confederate sympathizers. Colonel Mann determined never to put his foot in the Episcopal church at Paris again, and I presume he never did. Mr. Davis and I attended services at the Madeline the following Sunday, one of the most elegant of the many fine church edifices in the city. It is said to be able to accommodate 10,000 people. A few seats appeared to be reserved for members, and for others chairs were furnished, for which the charge was one and two sous, according to locality. The music was grand. On the occasion of our attendance, in addition to the immense organ, they had a fine string band.

Marshal MacMahon was President of France; Louis Joseph Buffet, president of the Assembly (consisting of 738 members), then in session. We were present at a meeting of the Assembly when some important question was under discussion. We had cards that procured us good seats. The hall was crowded with ladies. I have witnessed proceedings in the gold room of the stock exchange in New York, the Congress of the United States, State Legislatures, and many Democratic conventions; but I wit-

nessed more excitement, heard more noise, and saw more fierce demonstrations of apparent anger in the French Assembly that day than I had ever seen before at any public gathering. There were no blows exchanged, however, and, while it seemed to me that some of the members must inevitably come together, nothing of a tragic nature occurred, much to my relief, and the session came to a close in a whirlwind of gesticulations and deafening vociferations. A deep calm succeeded, frowns disappeared from the faces of the members, and all gaily repaired to the nearest cafes for refectation.

Mr. Davis had several pleasant friends in Paris with whom he passed the time; among them Major Weston, a Baltimorean, who had been one of our agents abroad during the war, and Mr. Erlanger, a banker, who married a daughter of Mr. Davis' friend, John Slidell, of Louisiana.

I met here, also, Prince Polignac, one of our Confederate generals, distinguished in the Red River campaign. After the war between the States he returned to France and lent his sword to his country in the Franco-Prussian war. He seemed glad to see me and referred pleasantly to some incidents connected with our campaigning together in Louisiana.

Mr. Davis and I returned to London, where I left him and went on to Liverpool, it being understood that he would join me there, and we would then go by sea to Glasgow, Scotland.

In pursuance of this agreement we in due time found ourselves in Glasgow, guests of Mr. James Smith, who many years before had been a near neighbor of Mr. Davis in Mississippi, had returned to Scotland prior to 1861, and grown wealthy there, and during the war sent Mr. Davis several fine cannon and equipments as a present to the Confederate States. Mr. Smith and his family of grown sons and daughters were charming people, and our visit to them was one continued round of pleasure.

We visited many noted spots in Scotland, called on the Misses Begg, nieces of the poet Burns, at their pretty cottage near Kirk Alloway, viewed the ship yards on the Clyde, and, as we journeyed from place to place, Mr. Davis greatly added to the pleasure I experienced by his familiarity with Scottish history, poetry, and fiction—especially his many and apt quotations from the writings of Sir Walter Scott, who, more than any other, has

woven a halo of romantic interest around everything pertaining to Scotland.

We returned safely to Liverpool. After remaining there some time I bade Mr. Davis good-bye, as he preferred going direct to New Orleans, and I was compelled to return to New York.

I arrived safely in New York after a stormy voyage, and reached Galveston much improved in health by my seven months' trip abroad.

While I had made large sales in England and Germany, where I spent pleasant weeks, and had put in very good shape the project of getting up the limited company that my employers desired to organize, the latter undertaking was not completed before the firm of Allen, Poole & Co. failed, and that brought the entire business to an end.

CHAPTER THIRTY-FOUR.

Reconstruction—Restoration of White Supremacy—Tax Collector—
Ex-President Davis in Texas—His Welcome at Dallas—A Candidate
Again—Troubles in Van Zandt County—Democratic Ticket in 1878—
Elected State Treasurer.

I am not disposed to write of the times when Texas was writhing under the heel of military despotism and vultures were preying upon her vitals.¹¹³ Let it suffice to say for this gloomy period, that the people of Texas in convention assembled at Austin, in 1865, accepted President Johnson's policy; acknowledged the supremacy of the Constitution of the United States; repealed the ordinance of secession; repudiated the Texas war debt, and modified the Constitution to suit the changed condition of the negroes; that a State government was organized, with the conservative J. W. Throckmorton as Governor, and United States senators and congressmen elected; that the Republican majority in both houses of Congress refused to admit our delegates to their seats on account of their being Democrats; that the dominant party overthrew all the State governments, including ours, erected under the authority of President Johnson, and remanded them to military rule, our State officials being supplanted by military appointees; and that the congressional plan of reconstructing the Union contemplated Republican ascendancy at

¹¹³ One of her wisest and most skillful defenders then was Col. R. W. Loughery, owner and editor of the *Daily Times* at Jefferson, and the *Texas Republican* at Marshall, an able and daring writer, whose papers exposed and denounced every iniquity that was practiced or attempted, brought about the downfall of the military commission established at Jefferson to try citizens by drum-head courtmartial, and aided greatly in the overthrow of the Davis regime and in hastening the restoration of control of the State government to the people. He had been editor of the *Texas Republican* from 1849, was one of those who organized the Democratic party in Texas in 1856, had attained wide influence and reputation before the war, and did some good newspaper work in the later years of his life, but his most brilliant labors and services were performed during the reconstruction era. These should never be forgotten. He was born in Nashville, Tenn., February 2, 1820; came to Texas in 1848; was consul at Acapulco, Mexico, during Cleveland's first administration, and died April 26, 1894, at Marshall, Texas.

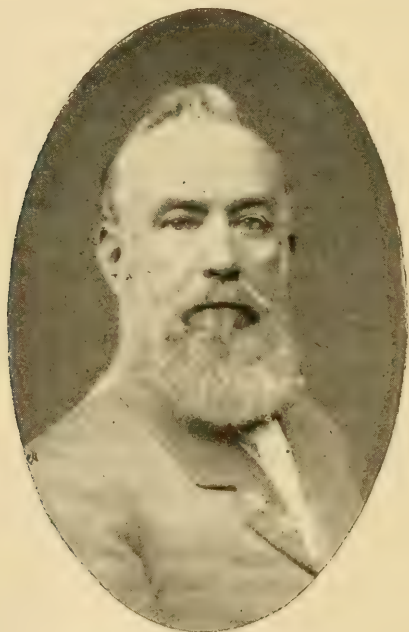
every cost in all the States under military rule. In the preliminary steps of congressional reconstruction, intelligence and worth were proscribed and a premium put on ignorance and barbarism. All discriminations were against the white race. The negroes voted en masse, and enough whites were disfranchised to ensure a Republican majority in the convention. At the election for State officers under the new Constitution E. J. Davis was counted in for Governor by the exclusion of several Democratic counties that gave majorities for A. J. Hamilton. The Republican State government under Davis and the Twelfth Legislature^{113a} were the most intolerable ever known in Texas. Venality and tyranny were rampant, all the safeguards of liberty were overthrown, the people harassed by a negro police, and property threatened finally with confiscation. 'The taxpayers' convention at Austin in September, 1871, composed of representative men without distinction of party, exposed the maladministration of the Republican party, and published their report to the world. In consequence of this, relief began in the Thirteenth Legislature in the repeal or modification of the more odious laws. In the election of 1873 Richard Coke and R. B. Hubbard, the Democratic standard bearers, were, respectively, chosen Governor and Lieutenant-Governor by about 50,000 majority. The Republicans, to retain power, trumped up a case of illegal voting and brought it before the Supreme Court on a writ of habeas corpus. The pliant court, assuming jurisdiction, rendered the opinion desired, viz.: that the election was illegal and that no offense had been committed. The Fourteenth Legislature, despite a prohibitory order of Governor Davis, met at the capitol and proceeded to organize. Davis appealed to President Grant for military aid, and, when his call for United States troops was refused, delivered the election returns to a committee of the Legislature and retired from the contest. Richard Coke was declared the Governor-elect on the count of the votes and at once inaugurated, night though it was.

The morning of January 14, 1874, dawned upon Texas redeemed from radical rule, upon Texas free and at peace for the first time since 1861. With the restoration of white supremacy

^{113a} Yet there were some good men in this Legislature: among these, Ira Evans, the Speaker of the House, who was deposed from his office for refusing to countenance the revolutionary schemes of his party. Mr. Evans is at this time a prominent and honored citizen of Austin.

and Democratic rule, Texas started anew on a prosperous career. For this deliverance we are under perpetual obligations to the Northern Democracy, who sympathized with us in our oppression and helped us in our struggle every way they could. All honor to the liberty-loving Democracy of the North!

In 1875 an election came on for the selection of a mayor for the city of Galveston. Colonel Cannon, Colonel Stone, Captain



F. R. LUBBOCK, GALVESTON.

Fulton, and Mr. Leonard were spoken of in that connection. Several of my friends desired me to run for the Democratic nomination, and I consented. A question arose as to what method should be adopted in making the nomination. My friends generally favored the old-time convention, while Fulton's friends wanted a primary election. When the latter method was adopted, Cannon and Stone withdrew from the race, and Leonard would not submit his name to be voted on in the primary. So

that left the race between Fulton and myself, Leonard reserving himself as an independent candidate.

I went into the contest with the hearty support of many strong friends and with good prospects of success; but the old story of my having once advised the burning of Galveston, and that my heart was really in Houston, being revived, I was beaten and Captain Fulton was declared the choice of the Democratic party as a candidate for mayor of the city.

Leonard had been mayor several times, was very popular, and it required prompt and united action to defeat him. Many of my supporters, charging fraud in the election, urged me to run as an independent candidate. Of course I refused. Having taken my chances at the primary election, I told them there was but one course for me to pursue, and that was to declare myself positively for the Democratic nominee and support him heartily. Accordingly, that very night we had a grand turnout at a meeting at which George Mason, Colonel Cannon, Seth Shepard, Colonel Stone, and myself delivered speeches urging the people to elect Fulton. Some of my friends were a little vexed then, but they soon saw that my policy was the better one. Fulton was elected March, 1875, and in a few days afterwards sent a message, by a friend, tendering me the tax-collectorship of the city, and stating that he hoped I would accept. I accepted, and filled the place under Fulton and his successor, Stone, for three years.

On the occasion of Mr. Davis' visit to Texas in May, 1875, I bade him welcome at Galveston and attended him to Houston, where he was the guest of Major Franklin for several days. At Austin the ex-President was received with every demonstration of respect by all classes of people.

While in the city Mr. Davis, attended by Judge Terrell and myself, visited the State cemetery. The ex-President stood alone for some moments by the grave of Gen. A. S. Johnston, contemplating it in silence. The general and ex-President were very close friends in life, and Mr. Davis may have been thinking of the virtues of the dead hero and of the loss to the Confederacy by his martyrdom to the cause. Judge Terrell and myself remained at a respectful distance, and when Mr. Davis rejoined us his eyes were moist with tears, occasioned perhaps by sad memories of the past.

At Dallas he was given a royal reception. The people made

the day of his arrival a gala day. The public buildings were handsomely decorated, and numerous floral arches adorned the streets. One of the arches, I remember, contained the inscription "God Bless Jeff Davis," and others displayed similarly appropriate mottoes. He was received at the depot by a reception committee consisting of the mayor, other city officials, and prominent citizens, and escorted to an elegant barouche, which moved to the head of the long civic and military procession that had been formed, and the line of march was taken up for McCoy's Grove, the bands playing the enlivening patriotic and martial airs of the Southland and the people cheering at every step as the brilliant column advanced with waving banners, and beneath falling flowers thrown from balconies.

Gen. John J. Good, mayor of Dallas, delivered an eloquent address of welcome, to which Mr. Davis responded in his easy and stately style—his utterances going home to the hearts of his auditors, and as each flowing period was rounded, calling forth salvos of applause. With the skill of a great orator, and inspired by genuine love for the State and its people, he reviewed the history of Texas, and paid a tribute to her flag, saying: "A man breathes freer and deeper under the Lone Star flag."

Referring to the fact that Texas had emerged from the darkness of the reconstruction era and was once more a member of the Union and was controlled by her own people, he said that he hoped the Lone Star would continue forever thereafter to glitter in the Federal galaxy. He said that Texas would in time become a great exporting country, and that her people should contend for free trade and farmers' rights; that when that time arrived Buffalo Bayou would probably be deepened, as the River Clyde had been, so as to admit the largest ships. He saw bright prospects for the people and country, and hoped that all would turn their faces toward the future and its possibilities, and labor together to a common end, material prosperity and the maintenance of a government of liberty and law.

I followed Mr. Davis in a brief speech, in which I said the people of the South revered him as one of the purest and noblest of mankind; and much else that seemed to me suitable to the occasion.

Then, while the band was playing a stirring air, H. Goslin, color-sergeant of the Lamar Rifles, bearing the United States

flag, and Sergeant Cox, of the Stonewall Grays, bearing the Texas flag, advanced to the stand, whereupon the mayor said that they represented sides that were opposed in the late war, but that "the flag of the United States is now the flag of both the blue and the gray."

Mr. Davis, being called for, delivered a short speech, in which he said that the brave could always find common ground to meet upon; that it was only the camp follower, the thief, and the murderer that rob the dead and pursue the living; that if animosities still remained, they had been engendered not by what had been done in the conduct of honorable warfare, but by the perpetration of outrages that shocked humanity; that chivalry should be the star to light the pathway of war; that the United States flag was the creation of Southern men—our Moultrie and Washington—and was not, as some had said in a former time, when maligning the Southern people, an emblem of bleeding stripes, bruised flesh, and scalding tears, an ensign of oppression, and a cloak for crimes,—and never had been till diverted from its purpose. "I marched many years under its folds," said he, "as my father before me had done in the revolutionary war. I could not go against it. It was borne against us in violation of the Constitution. It should have been laid away during the war and used by neither side. God grant that it may never again wave over a battlefield of divided Americans!

"The name of Lamar¹¹⁴ is familiar to me. I suppose your company is named in honor of Mirabeau B. Lamar. At Monterey, with a bright red vest, heedless of danger, he rushed into the thickest of the fray, and, with the cry of 'Brave boys, Americans are never afraid!' at the head of the gallant Second regiment, charged home to victory. He was an ideal Texan—a man of rare genius and tender affection. You, gentlemen, wear the blue; the Stonewalls the gray. I grew up in the blue; but I love the gray. I love every other color, but I love the gray the best. Your positions invoke no hostility, but a generous rivalry,—an emulation which can best perform their duty. I trust we shall always have peace; but, if we must have war, let both go together and stand side by side. . . . I am pleased and grati-

¹¹⁴ This encomium, from an accomplished soldier like Jefferson Davis, should be considered in forming an estimate of Lamar.

fied to see the spirit of harmony and good will that prevails, and trust that it may never be broken. May you and all prove yourselves worthy sons of this bright and glorious commonwealth."

The "Bonnie Blue Flag" was then played by the band. Crowds of children gathered around Mr. Davis, who shook their hands and spoke kindly words of greeting.

Ex-Governor Throckmorton was the next speaker. He said that we claimed the government as much as those who wore the blue, that the story of the heroism displayed by both sides in the great struggle was the heritage and common property of the Americans of that and all succeeding generations, and that it was a notable event and augured well for the future that men of the North and the South had met together, in a spirit of fraternity, to welcome a great and noble man, who had been the leader in a cause that the people south of Mason and Dixon's line believed to be right, that those dwelling beyond that boundary had opposed, and that had been lost by the fortunes of war.

Col. F. B. Sexton followed ex-Governor Throckmorton in a chaste and elegant address, which was liberally punctuated with applause by his auditors, and adjournment was then had for dinner—a sumptuous meal dispensed by Mrs. J. Peak, Miss Harwood, Mrs. J. M. Stemmons, Mrs. Juliet Fowler, Mrs. Tom Field, Mrs. Barthalow, and other ladies.

Among the noted visitors present were Gen. Walter P. Lane, Col. George W. Chilton, Col. Ed Burleson, Maj. Thomas Dugan, Capt. W. W. Lang, Mrs. J. M. Hurt, of Sherman, and Mrs. Tabitha Rhine, of McKinney.

After dinner speeches were delivered by Capt. Ed. G. Bower, of the Stonewall Grays, Gen. R. M. Gano, John Henry Brown, W. L. Cabell, and others.

General Gano said that the occasion was to him one of mingled pleasure and sorrow; that it recalled old times and old faces and contrasted them with new; that he had the day before received intelligence of the death of Gen. John C. Breckenridge; that he had long known and honored him, and loved him for his noble traits of character. He said that those present had assembled to honor the representative of the great Confederacy with which nearly all were, at one time, identified; that they had not met to honor him for his devotion to a lost cause, but to honor moral worth and purity, worthy of emulation. He stated that he (Gen-

eral Gano) had resigned a seat in the Legislature, under a call from Gen. Albert Sidney Johnston, and served under him on the tented field, in a cause the justice of which, with him, still remained undoubted; that he loved Texas, because deeds of worth, of gallantry, and of duty had characterized her people in an epoch that tried the souls of men; and that he believed that a future lay before the country rich with promise. He adjured all who heard him to hold fast to the sheet-anchor of correct principles, and the young men, who must carry forward the work left uncompleted by hands then folded across quiet breasts, no longer warmed by the fires of life, to do their duty in the coming years as conscientiously and bravely as their fathers had in the past.

General Gano was loudly cheered. Not an incident occurred to mar the occasion. It was one of the most delightful of a public nature in which I ever participated, and must have been deeply gratifying to Mr. Davis.

Mr. Davis stopped over at Marshall on his way to his home at Memphis.

The honors paid him during his stay in Texas bore witness to the fact that the human mind can not be fettered by might, and that the frowns of those in power can not prevent a free people from doing honor to their heroes, uncrowned though they be.

As Texas was now free, I had begun to take interest in politics again. The Democratic State convention was held at Galveston in January, 1876. I attended it as a delegate, and it was the first time I had participated in a State convention since the one held in Galveston in 1860, just prior to the National convention at Charleston. Joseph D. Sayers, chairman of the State executive committee, called the convention to order. I well remember that M. D. K. Taylor (incomparable as a parliamentarian) acted as chairman of the convention with his usual ability.

On the rostrum were some of the ancient worthies of Texas: Joel Robinson, one of the captors of Santa Anna; a hero of the Velasco fight, whose name I can not now recall; S. W. Blount, one of the signers of the Texas declaration of independence; the old veteran, Bennet Blake; ex-Gov. J. W. ("Smoky") Henderson, and Dr. Ashbel Smith; and, representing the Texas of later times (as a State), were Gen. M. D. Ector, Maj. Joseph D. Sayers, now (1900) Governor of Texas, and Gen. Braxton

Bragg,¹¹⁵ the stately ex-commander of the Army of Tennessee, then a citizen of Texas.

Coke and Hubbard were without opposition renominated for Governor and Lieutenant-Governor; H. H. Boone, for Attorney-General; Stephen, H. Darden, for Comptroller; A. J. Dorn, for Treasurer; J. J. Groos, for Land Commissioner; O. M. Roberts, for Chief Justice of the Supreme Court, and Geo. F. Moore and Robert S. Gould, for associate justices; M. D. Ector, C. M. Winkler, and Jno. P. White, for judges of the Court of Appeals provided for in the proposed new Constitution. The new Constitution to be voted on the next month was heartily endorsed, though that was not made a party test.

Of those in that gathering of notable men I recall to mind Geo. W. Chilton, J. M. Hurt, W. H. ("Howdy") Martin, J. B. Chenoweth, Geo. N. Aldredge, Fred Carlton, and Jno. W. Stayton, among the presidential electors or alternates; and W. A. Wortham, J. J. Hill, William Hudson, T. J. Goree, Charles Stewart, Chas. L. Cleveland, C. B. Pearre, N. G. Shelley, Geo. McCormick, C. B. Kilgore, R. M. Wynne, F. B. Sexton, M. H. Looney, Adam R. Johnson, and Joseph Dwyer on the executive committee, or otherwise prominent.

The Democratic ticket won at the polls by an overwhelming majority. Coke was elected to the Senate shortly after his inauguration and, on taking his seat in that body, was succeeded

¹¹⁵ A few months later General Bragg died from a stroke of apoplexy in the city of Galveston.

¹¹⁶ In 1877 the peace of the State was seriously threatened by a county seat dispute in Van Zandt County; but happily the conservative good sense of the people there prevented any bloodshed.

In counting the returns of the election held for determining the county seat, several boxes were thrown out on account of irregularities, and Wills Point was declared to be the legal county seat. The records were accordingly removed from Canton to Wills Point by order of the county commissioners court. A few months later an armed force of about 500 men was organized at Canton and, led by Hon. T. J. Towles, a member of the Legislature, moved on Wills Point with a view of taking possession of the records and returning them to Canton by force, if necessary. Troops sent by Governor Hubbard went to the aid of the county authorities, and as a result the Cantonites returned to their homes and the records remained at Wills Point till they were returned

by Hon. Richard B. Hubbard,¹¹⁶ who served as Governor to the end of the constitutional term.

At the suggestion of Judge C. L. Cleveland, and after consultation with Col. W. L. Moody,¹¹⁷ Colonel Jemison, A. J. Walker, and other friends, I announced myself in the spring of 1878 as a

to Canton by order of the commissioners court, after a decision by the Supreme Court that there was no law in force at the time for holding a county seat election. The editor was then the county judge of Van Zandt county.—Ed.

¹¹⁷ Col. W. L. Moody, of Galveston, a Virginian by birth, and law graduate of the University of Virginia, came to Texas in 1852, and after practicing his profession for two years at Fairfield, in Freestone County, engaged in merchandising at that place with his brothers, David J. and Leroy F. Moody, under the firm name of W. L. Moody & Bros. At the beginning of the war between the States he raised a company, which was attached to the Seventh Texas infantry, better known as Gregg's regiment, and after Colonel Gregg's promotion to brigadier-general became its colonel. He was severely wounded at the siege of Jackson, Miss., and returned to Texas, where he was assigned to important military duty. He moved to Galveston in 1866, where for some years he was at the head of the well known firm of Moody, Bradley & Co., which did an extensive and prosperous commission business. The firm was changed to Moody & Jemison, one of the leading cotton firms of Galveston, and did a large business in New York. Subsequently this firm was merged into that of W. L. Moody & Co. At a later period he associated his two sons, W. L. and Frank, with him under the same firm name. This firm has since retained a leading position in the commercial world, and is now conducting a large cotton and banking business at Galveston, and owns and operates in that city one of the largest cotton compresses in the South.

On my becoming a citizen of Galveston in 1867 and engaging in a small commission business there, Colonel Moody became my friend, and much of my time was spent with him and his family. I soon became much attached to him. I considered him a model business man, full of intelligence, high toned, and upright in all of his business relations. As a result of his methods of fair dealing, his firm has always enjoyed the patronage and confidence of the planters, and for years has perhaps been the recipient of more business directly from them than any other in the State. He and I have always been in harmony politically, and stood shoulder to shoulder on leading questions, while many of my other friends have drifted from their Democratic moorings. Up to this good hour our friendship continues unbroken.

My early formed estimate of his character remains unchanged; I know of none whom I more sincerely respect. I have been a witness to his many virtues and seen them displayed in nearly every variety of

candidate for the Democratic nomination for State Treasurer. There were five candidates in the field. My opponents were well known and capable men,—all good business men, first-class citizens, and all of them had been Confederate soldiers.

The convention met at Austin July 17th, and was one of the most exciting and memorable we have had in Texas. It was called to order by Joseph D. Sayers, chairman of the State Democratic Executive Committee. The temporary officers were: Chas. Stewart, chairman; Lee Hall, sergeant-at-arms, and Col. B. B. Paddock, secretary. Permanent organization was perfected by the election of M. D. K. Taylor as chairman, George B. Zimpelman sergeant-at-arms, and John Bookhout secretary.

The candidates for the gubernatorial nomination were Hubbard, Throckmorton, and Lang,—the first then occupying the Governor's chair, the second strong in the affections of the people on account of his reconstruction record, and the last named backed by a strong element among the farmers of the State. After several ballots had been taken Lang's name was withdrawn.

After the thirteenth ballot, which showed 804 votes for Hubbard and 694 for Throckmorton, it was proposed to bring Lang again before the convention. Maj. W. M. ("Buck") Walton, in the interest of Lang, then withdrew Throckmorton and delivered a speech in opposition to Hubbard that was made up of withering invective. Hubbard's friends, however, still stuck to him, the fourteenth ballot showing 812 votes for him, 654 for Lang, and 46 scattering. Lang was again withdrawn, and Judge T. J. Devine put in nomination. The fifteenth ballot showed 807 votes for Hubbard and 637 for Devine. The eighteenth ballot (taken on Sunday) stood, Hubbard 907 and Devine 594. The delegates now becoming restive under the two-thirds rule, a motion was made to substitute for it the majority rule, but was withdrawn.

It now being apparent that a nomination could not be made under the two-thirds rule, a conference committee was appointed at caucus meetings held by the supporters of Hubbard and Devine and empowered to select some candidate who would be acceptable to both factions. Several names were submitted to the

circumstances incident to political, business, and social life, in peace and war, through a period of nearly half a century, and never found him wanting in anything to be expected of a gentleman and patriot.

committee. The first ballot taken resulted in 15 votes for John H. Reagan, 2 for W. P. Ballinger, 5 for John Ireland, 3 for R. Q. Mills, 1 for O. M. Roberts, and 1 for Charles Stewart. The Devine men centering on Roberts as against Reagan, the second ballot stood: Reagan 9, Ireland 1, Mills 2, Roberts 16, D. B. Culberson 1, and Stewart 1. The third ballot gave Roberts 19 and Reagan 11; the fourth ballot, Roberts 18, Reagan 13, and Mills 1. It was now evident that no man could be brought forward who could secure the support of two-thirds of the committee, and Roberts having several times received a majority of the votes, the committee cut the Gordian knot by unanimously voting, on motion, for Roberts. On July 23d, W. H. Herndon, acting for the committee, rose in the convention and offered the following resolution: "Resolved, that the names of Hon. R. B. Hubbard and the Hon. T. J. Devine be withdrawn from the convention, and that hereafter during the sessions of this convention no name heretofore placed in nomination for the position of Governor shall be brought again before this body."

The resolution having carried and the names of Hubbard and Devine having been withdrawn, Mr. Herndon placed Roberts in nomination, and at the conclusion of several eulogistic speeches made in his behalf, he was nominated by acclamation. Joseph D. Sayers was nominated for Lieutenant-Governor without opposition and by a unanimous vote. George McCormick was nominated for Attorney-General, and W. C. Walsh for Land Commissioner, both by acclamation, rival candidates having been withdrawn.

Next came nominations for State Treasurer, the following being put forward to contest with me for the honor: Rufus Y. King, A. S. Roberts, Y. Smith, and A. J. Dorn.

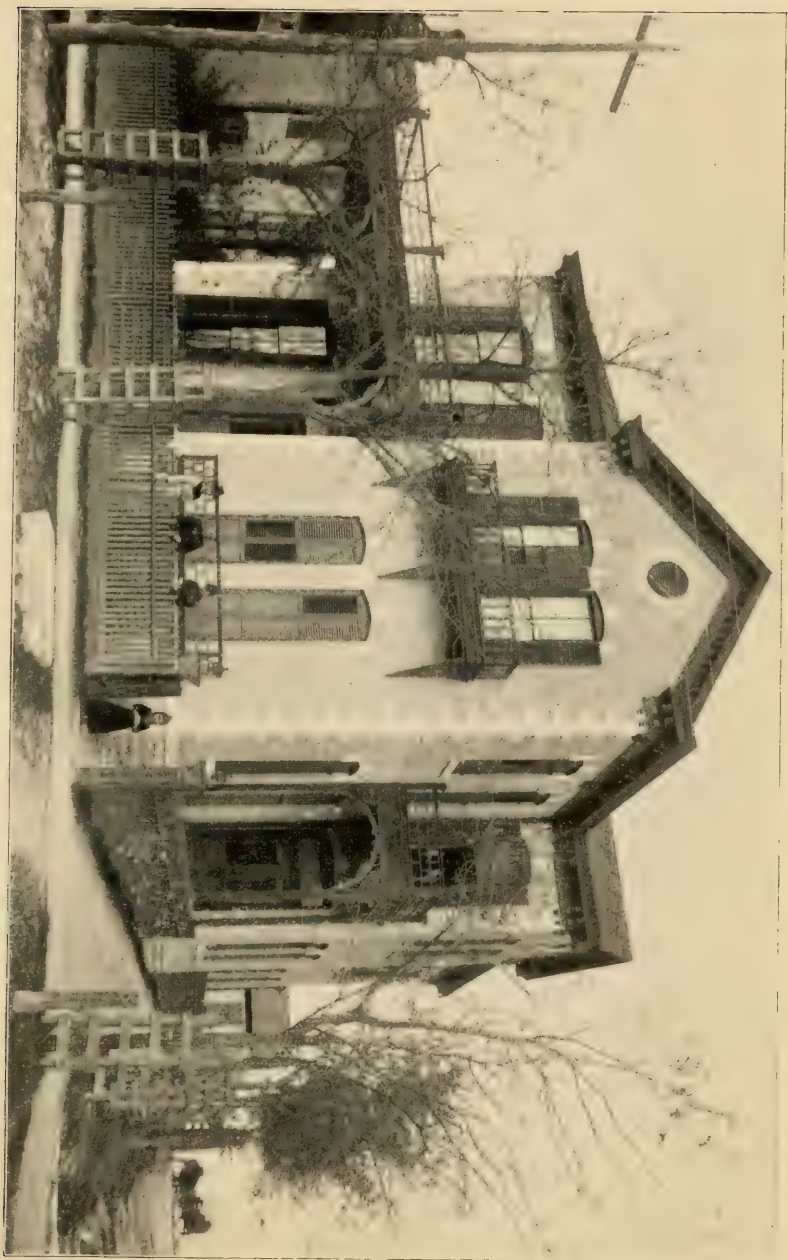
The first ballot showed 370 votes for Dorn, 271 for King, 163 for Roberts, 213 for Smith, and 482 for Lubbock. All were withdrawn after the first ballot except Dorn and Lubbock. On the second ballot most of the strength of those who had been withdrawn was transferred to me, and this fact developing as the call of counties progressed, many of the large counties that had cast their vote for Dorn changed to me, and when the call had been completed and before the secretaries could make the count and enable the chairman to declare the result, my nomination was, on motion, made unanimous and by acclamation.

The Republican nominees were A. B. Norton for Governor and Richard Allen (colored) for Lieutenant-Governor; and those of the Greenbackers, W. H. Hamman for Governor and J. S. Rains for Lieutenant-Governor. The main reform (?) that the Greenbackers advocated was the making of the greenback dollar a legal tender in the payment of all debts, public and private, and its issue by the government on a parity with gold and silver.

The Democratic ticket defeated that of the Greenbackers at the November election by a majority of over 100,000 votes. Norton and Allen received only about 20,000 votes.

Before the meeting of the convention I was frequently interrogated as to how I proposed to run the treasury, and whether, if nominated and elected, I would stop speculation in warrants. I replied invariably to such inquiries that I would run it for the benefit of the State, with justice to the people, fairly and impartially, and that there would be no further speculation in State paper if I could prevent it.

I made a very general canvass, and was elected along with other members of the ticket.



OUR PRESENT RESIDENCE IN AUSTIN.

CHAPTER THIRTY-FIVE.

Removal to Austin—The State Treasury—Roberts, Sayers, and the Public Schools—Dr. Cooper—The University of Texas—Agricultural and Mechanical College—Ireland—Fence-Cutting—Ross—Prohibition—Parsons' Brigade—Elkhorn Reunion—Railroad Commission—Hogg—San Antonio Convention—Wortham Treasurer—My Retirement—Ireland and the Granite Capitol—Davis Memorial Services.

I broke up housekeeping in Galveston and moved to Austin with my family in December, 1878, and rented my home in Galveston, stating that I would retain my citizenship there. I afterwards voted, at each recurring biennial election, at Galveston until 1892, when, under the system of registration then adopted, I was denied that right. Since that time I have voted at Austin, where my home is, with whose people I am identified, and where I will probably spend my remaining years.

Having lived in Texas from the early days of the republic and watched the State grow, as it were, from infancy, and my every heartstring being interwoven with those of a people to whom I am indebted for so many kindnesses and who have so often testified their faith in me by entrusting to me the discharge of important public duties, my affections take in the whole State and people, and it matters little where my home is, so it is in the Lone Star State. I naturally retain many pleasant recollections of Houston and Galveston and of old friends there, and I feel an equal interest in Austin and her people, where and among whom I have passed pleasantly many years,—first as a public official and since as a private citizen, in all relations the recipient of many and highly prized evidences of esteem.

Through the courtesy of Major Dorn I made my headquarters at his office. By January, 1879, when I entered upon the discharge of my duties as State Treasurer, I had become, through information vouchsafed by him, quite familiar with the workings of the department. I ascertained immediately that there was not a dollar in the treasury to the credit of the general fund, while there was quite a large sum to the credit of special funds. These, however, could not be used to enable the treasury to meet the demands for other purposes. I at once saw the ab-

solite necessity of adopting some measure that would relieve this unnatural condition. I did not have to search far for the cause, and did not hesitate to apply the remedy.

The prevailing practice was to allow sheriffs, tax collectors, and others who had to make accountings to the treasury to pay 25 per cent of the amount turned in by them in State warrants. As a result, when the moneys due special funds were set aside, there was no cash on hand to meet other obligations, and warrants were hawked on the streets and sold at a discount. The purchasers, certain persons living at the capital, watched the treasury, and as soon as money was on hand presented their paper and drew it out.

Immediately upon my induction into office I notified the heads of departments and others interested that I intended to abolish this custom and to establish a system whereby only cash would be accepted in settlements, and warrants be paid according to registration. The entire official family, with the exception of the chief executive, disagreed with me, contending that under such a system no money would flow into the treasury. On my notifying Governor Roberts of my intention, he said: "I like your plan. It is fair; it is honest. Go ahead, inaugurate it, and I will sustain you." I therefore gave notice that after a certain day nothing but money would be received; that the warrants could be deposited, and would be registered and paid in the order of registration. Up to this time warrants were being shaved at anywhere from 5 to 15 per cent discount. As soon as registration was commenced and strictly and impartially enforced, warrants began to appreciate, for the obvious reason that the intelligent business public could approximate days of payment, whereas under the old plan only men who watched daily and made it a special business could ascertain when a deposit of money had been made and hurry up to the treasury and have warrants cashed. It consequently happened that while this class often received payment before the ink was dry on their warrants, men who had waited perhaps for weeks and months were turned away empty-handed.

The change that I inaugurated caused quite a ripple. It of course found no favor with those who had been speculating in warrants and deriving large profits therefrom. They were soon compelled to admit the justness of its operation and bowed with

such grace as they could to the new order established. The reform was not accomplished, however, without vigorous opposition from other quarters,—in some instances members of the Legislature who desired the rule relaxed in their favor and cash paid immediately on presentation of their warrants for per diem, and in others county officials who desired to make settlements in the manner that had formerly prevailed. In all such cases I stated that I could make no concessions; that the rule was one that did not admit of exceptions.

By a strict enforcement of this rule, cash soon flowed into the coffers of the State until they were filled, and warrants were being paid in full promptly on presentation.

I trust I may be pardoned for reproducing the following, penned by S. G. Sneed and printed in the *Texas Review* of May, 1886, published at Austin by C. R. Johns & Son:

"The rule raised a storm of indignation among speculators and was denounced as 'illegal,' 'unauthorized by law,' 'high-handed' and with other like epithets. Many of the Treasurer's friends thought the scheme impracticable. The Legislature was in session, and a few members talked about impeachment. . . .

"He stood firmly to his position, and when asked to make exceptions in certain cases, replied that, if he consented to do so, he would in the next moment resign his office.

"He was assailed and confronted with the law, and customs, and influences, to no avail. He replied to some parties, who made elaborate appeals on the law of the case: 'I'm not much on law; I shall follow equity, and intend to stick to my rule and strict justice.'

"Treasurer Lubbock, intent on his duties at a time when there were serious embarrassments, and there were strange practices and policies, originated a new policy, as shown, and it is probable it will never be departed from in any future period of financial distress.

"When the little embarrassment occurred in January last he knew exactly how to steer and he broke down every effort made to cripple the treasury.

"Under the old regime speculators could keep the treasury perpetually drained: but they can not under the new rule, which ought to pass into history as 'Lubbock's rule.' . . .

"Among the facetiae of the times a poet laureate (who needed the benefit of the registration rule), not being forced to sell his claims, made the following endorsement on the back of his warrant, which contains more truth than poetry:

'Frank Lubbock's head was level, when
He broke the schemes of cunning men;
Some howled and shouted out, 'Perdition!
What means this scheme of registration?'
But 'twas no use to fight such tricks,
The rule was made, the rule still sticks;
It's just and right, without a flaw,
And Lubbock's rule is Texas law.' "

When I took charge of the Treasurer's office the force was a chief clerk, a bookkeeper, an assistant bookkeeper, a night watchman, and a porter. I brought with me Nick Weekes, Esq., as chief clerk, retaining the balance of the force. Mr. Weekes, after several years of faithful and acceptable service, voluntarily severed his connection with the department to embark in other business and was succeeded by W. B. Wortham, who continued my first lieutenant (and a very able one it affords me pleasure to say) until I retired from office.

During my first two years as State Treasurer I performed the duties of a clerk in addition to my labors as head of the department. At the beginning I established a rule from which I never afterwards departed, viz.: That every letter received in the office must be answered. I opened and carefully and fully replied to every letter that was received myself, if I could possibly do so, and to this fact I attribute much of the success I was enabled to achieve.

O. M. Roberts and Joseph D. Sayers were rival candidates for the Democratic nomination for Governor in 1880.

The Constitution provided that as much as one-fourth of the general revenue annually might be applied to the support of the public schools; but through Governor Roberts' influence the appropriation was reduced to one-sixth. A storm of dissatisfaction arose at this supposed gubernatorial hostility to the free schools. Lieutenant-Governor Sayers headed the opposition and made his canvass, chiefly on this issue. The newspapers took a prominent part in the contest, the large majority favoring Roberts' idea of



THE STATE TREASURER AND HIS OFFICE ASSISTANTS — 1884.

making the free school appropriations dependent entirely upon the necessities of the State government.

At the Dallas convention in July, 1880, Roberts was nominated for Governor; but the principle for which Sayers contended was sustained, the convention by resolution declaring in favor of the largest appropriations for the schools permitted by the Constitution and justified by the financial condition of the State. Major Sayers cheerfully acquiesced in the action of the party and gave the whole ticket his hearty support. Free coinage and re-monetization of silver was also favored by resolution, and Congress was asked to prevent unjust discriminations and extortionate rates of charges for the transportation of interstate commerce.

The Republican ex-Governor, E. J. Davis, and W. H. Hamman, Greenbacker, with their respective tickets were badly beaten by the Democratic nominees that year, and all our congressmen were elected by increased majorities. One of the Democratic platform demands was the immediate establishment of the State University as provided by the Constitution. Governor Roberts had previously conferred with the teachers (assembled in State convention at Mexia) on the subject, and they had pledged their co-operation. On the meeting of the Seventeenth Legislature Dr. Oscar H. Cooper¹¹⁸ presented to Governor Roberts a memorial from the teachers urging the immediate organization of the University, and it was by the Governor transmitted by message to the Legislature with his approval.

The location of the university was determined by popular vote at an election held for that purpose, Austin being selected as the seat of the main University and Galveston as that of the medical branch.

The Agricultural and Mechanical College, organized in 1871 on a landed endowment made by the Federal Government (Act

¹¹⁸ Dr. Cooper was born in Panola County, Texas, in 1849; graduated from Yale in 1872, and later attended the University of Berlin; was for nearly four years State superintendent of Public Instruction for Texas, and superintendent of public schools in Galveston for about the same length of time; was elected president of Baylor University in 1899, and is now acting in that capacity. In 1886 Dr. Cooper married Miss Mary B. Stewart, grand-daughter of the late Dr. Jas. H. Starr. As an educator he has, perhaps, no superior in Texas.—Ed.

of July 2, 1862), was declared by the State Constitution of 1876 a branch of the University, and was permanently located at College Station, near Bryan, and put into successful operation several years before the organization of the main university at Austin. The corner stone of the University was laid with impressive ceremonies at Austin, November 17, 1882, and the institution was formally opened September 15, 1883. On the latter occasion, before a large audience, several interesting addresses were made, notably those of Dr. Ashbel Smith and Gov. John Ireland.

The bill providing for the establishment of the University was introduced by Senator John C. Buchanan, of Wood, chairman of the committee on education, and, with some unimportant modifications, became a law. And I understand that Senator Buchanan's bill was in substance the bill prepared by Dr. Cooper and submitted to the Senator for consideration. The chief advocates of the measure in the Senate were Lieutenant-Governor Storey, John C. Buchanan, A. W. Terrell, R. M. Wynne, Jno. Y. Gooch, and J. B. Stubbs.

The following gentlemen were named by the Governor for regents of the university: T. J. Devine, Dr. Ashbel Smith, ex-Governors Throckmorton, Hubbard, and Pease, Dr. James H. Starr, Mr. A. N. Edwards, and Prof. Smith Ragsdale. Some political objections, as I understand it, having been advanced against E. M. Pease, the name of Jas. H. Bell was substituted for that of Pease, and all the appointments were thereupon confirmed by the Senate. The distinguished Dr. Ashbel Smith was deservedly chosen as the first chairman of the board of regents.

Judge John Hancock presided over the Democratic State convention held at Galveston in 1882. As foreshadowed by the country press, John Ireland proved the choice for Governor and was nominated by the convention, practically without opposition. Marion Martin was nominated for Lieutenant-Governor. I was renominated for Treasurer by acclamation, an honor also accorded by the State convention at Dallas two years before.

To prevent the recurrence of trouble on the educational question, the convention favored by resolution "the submission to the people of a constitutional amendment authorizing the levy and collection of a special school tax separate from that levied for general revenue." The amendment was accordingly submitted

and adopted, and there has been no doubt since as to the available school fund.

The entire Democratic ticket was elected over the combined Greenback and Republican opposition headed by G. W. Jones. In 1884, Ireland, with Barney Gibbs as a running mate, was re-elected over G. W. Jones and A. B. Norton. While Ireland



GOV. JOHN IRELAND.

was Governor the University began its exercises and the foundation of the present capitol was laid. There also occurred the fence-cutting trouble caused by the enclosure of large pastures obstructing the roads. It took a special session of the Legislature to settle the matter. During Ireland's second term my quondam Secretary of State in 1862, Judge C. S. West of the Supreme Court, resigned and the Governor appointed the Hon. Sawmie Robertson¹¹⁹ of Dallas to fill out his unexpired term.

¹¹⁹ On the occasion of memorial proceedings had in the Supreme Court June 5, 1893, in honor of Judge Robertson, who died June 21 of the preceding year, Attorney General C. A. Culbertson presented, as ex-

Lawrence Sullivan Ross¹²⁰ was nominated for Governor and T. B. Wheeler for Lieutenant-Governor by the Democratic State convention held at Galveston in the summer of 1886, and that body conferred upon me the honor of renomination. The Greenback party had gone to pieces. The Republicans and Prohibitionists had candidates in the field. A. M. Cochran was the nominee of the former and E. L. Dohoney of the latter. They were defeated by a popular majority of more than 150,000 votes.

Deciding to settle the question of prohibition outside of party lines by a full and free expression of the will of the people of Texas, the Twentieth Legislature submitted a constitutional amendment prohibiting the importation, sale, or manufacture of malt, vinous, or spirituous liquors in the State of Texas, to be voted on at an election ordered for that purpose in August, 1887. The canvass was a very exciting one, in which much bitterness was manifested. None of the State officials favored the amendment. Among prominent Democrats who favored the measure were D. B. Culberson, John H. Reagan, S. B. Maxey, W. S. Herndon, and John M. Duncan. The question at issue was not a party question, and positions taken either for or against the amendment in no way affected the party status of the individuals assuming them. I, and those who believed with me, contended, and I believe rightly, that evil would follow the adoption of the proposed amendment, and that it was an anti-democratic measure. The amendment was defeated by a majority that eliminated the question from State politics, at least for many years to come.

pressive of the sentiments of the Dallas bar, resolutions that were ordered spread upon the minutes of the court, and that contained the following expressions regarding Judge Robertson :

"As a lawyer, he had no superior in the State. At the early age of thirty-five years, such was his pre-eminence as a lawyer, that at the spontaneous suggestion of the bar of the State he was appointed to the bench of the Supreme Court, from which he voluntarily retired, to the regret of the entire bench and bar, after serving with distinguished ability only one year."—ED.

¹²⁰ A most accomplished and elegant man, famous as an Indian fighter and gallant Confederate officer. It was my fortune to be intimately associated with him during his four years' term as Governor. He was patriotic, honest, and devoted to the public interest.

There was a notable reunion of Parsons' brigade held at Temple, Texas, August 12, 1887, a very interesting program of exercises being observed. There was a street parade at 10 a. m., with several thousand old soldiers in line, ex-Federals occupying positions of honor. At the conclusion of the parade the crowd returned to the opera house, where I was introduced by Capt. W. G. Veal, and delivered a speech, as orator of the day. Governor Ross was to have followed me, but was prevented by pressure of official business.¹²¹

Governor Ross was later invited to deliver the memorial address at a Confederate reunion held at Elkhorn, Ark., September 3, 1887, but not being able to attend, offered me to the invitation committee as his substitute, writing to me at the same time under date of August 15th:

"I am in receipt of an invitation to be present at the battle-field of Pea Ridge on the 1st day of September, 1887, to take part in the ceremonies of unveiling a monument to Generals McCulloch, McIntosh, and Slack, who lost their lives on that occasion.

"My duties will prevent my attendance, but I realize that it is fit and proper that some Texan of 'name and fame' should be there to do honor to the memory of one who so honored our State as McCulloch, and to those others who laid down their lives for the cause we loved so well.

"There is in this broad State of ours no man better qualified than yourself for this duty, equally mingled with pleasure and sadness,—sadness for those who are gone, and pleasure at the thought that though a quarter of a century has passed the memories of their brave and gallant deeds are yet kept green. From the days of the Republic you have shared, and in a great measure guided, the destinies of the State through good and evil fortunes, till to-day she is crowned with a bright prosperity and looks out on a glorious future.

¹²¹ The Galveston *News* correspondent said of Governor Lubbock's speech: "The address of Governor Lubbock was a most eloquent piece of oratory, and held the close and earnest attention of his hearers throughout. He was frequently interrupted by the enthusiastic applause of his audience, amid which echoed ever and anon that never-to-be-forgotten shout which now is termed the 'rebel yell.'"—ED.

"I therefore request that you will take my place on the occasion named, and be present to represent Texas, in honor to McCulloch and our other gallant fellow citizens who fell at Pea Ridge."

Accepting the cordial invitation of D. H. Hammons, writing for the committee, I went on the 'Frisco Railroad to Avoca, the station nearest the battlefield. I was there taken in charge by Mr. Albert Peel, who gave me a hearty welcome and escorted me over to the camp near the Elkhorn tavern. A large assemblage was on the ground, and Senator Berry, of Arkansas, presided. I was introduced by him in a few well chosen remarks, and after deprecating my inability to act as a proper substitute for Governor Ross, proceeded to sketch the salient points in the character of Gen. Ben McCulloch as a soldier and civilian, and to, as far as lay within the scope of my abilities, pay the tributes due to the other Texans who fell upon that fiercely contested field, closing with the expression of such thoughts and sentiments as the assemblage before me, remembrance of the brave departed, and the occasion naturally inspired.¹²² The address was well

¹²² The *Arkansas Democrat* of September 6, 1887, said editorially: "The full text of the able and eloquent address of ex-Governor Lubbock, of Texas, at the late Confederate reunion at Elkhorn will be found in to-day's *Democrat*. The biographical sketch of Gen. Ben McCulloch and the splendid tribute to his character as a soldier are entirely worthy of the distinguished ex-Governor—distinguished alike in peace and in war."

The *Globe-Democrat* correspondent's report contained the following: "The Governor made a claim which was not fully agreed to by all present—that was, the Southern people won the victory over Mexico aided by the people of the North. He then recounted at length the services of General McCulloch to the general government before the war, and to the Confederacy, and dwelt with eloquent earnestness upon his devotion to the cause which he honestly and conscientiously believed to be right. The Governor was willing to accord to those who fought on the other side the same honesty of purpose and the same sincerity of motive.

"The address was finely delivered and though occupying a full hour was listened to with attentive interest to the close."—ED.

The correspondent of the *Arkansas Democrat* made the following allusions to personages I met, and my stay at the hospitable home of Mr. and Mrs. Peel, all still well and appreciatively remembered: "Your correspondent was very fortunate in falling into good hands. I was one of the honored guests of Mr. Albert Peel, a prominent citizen and merchant



Lubbock.

Roberts.

Ross.

Hogg.

FOUR TEXAS GOVERNORS

received, judging from the liberal applause with which it was greeted during and at the conclusion of its delivery. Every effort was made to render my visit to Arkansas an enjoyable one, and I returned to Austin bearing with me many pleasant recollections of that State and its intelligent and hospitable people.

After my nomination at the State convention¹²³ held at Dallas, in 1888, I determined not to be a candidate again and announced the fact to my friends. Ross and Wheeler and the entire State ticket were renominated and re-elected, defeating the Republican-Greenback opposition at the polls by increased majorities.

In Ross' second term began in earnest the agitation of the question of a State railroad commission. That was the paramount issue in the gubernatorial campaign of 1890.

Commissions for the regulation of railroads had been tried with various degrees of success in several States. The idea was not unfamiliar to the people of Texas, but it was reserved for the Attorney-General, James Stephen Hogg, to first champion the measure on the hustings in his candidacy for the Democratic nomination for Governor in 1890. Several gentlemen of ability took the stump against him on this issue. In the remarkable canvass of that year Hogg's power over the masses seemed irresistible, and all his opponents successively dropped out of the race. The State convention met at San Antonio in August. Hon. Horace Chilton (now United States Senator from Texas) placed General Hogg's name before the convention in an able speech, and he was nominated with but one dissenting voice. The con-

of Avoca, who had the honor of entertaining ex-Governor Lubbock, of Texas, whose acquaintance I was delighted to make. Hon. C. B. Moore, Secretary of State, Col. Samuel Morris, of the *Democrat*, Colonel Partidge, of the *Sentinel*, Judge Pittman, Major Davidson, Rev. Mr. Vaux, and Uncle Zeb Pettigrew, of Fayetteville, were all most royally entertained by Mr. Peel and his excellent and most accomplished lady, whose kind hospitality to us will never be forgotten. If this should ever meet the eye of Governor Lubbock he will agree with me that as a hostess she is unsurpassed, and that the best roast mutton and coffee and the whitest, lightest bread ever placed before hungry mortals were served at her table. The Governor, I know, will not soon forget the roasted lamb, and will smile when he reads this reference to it."

¹²³ Gen. Henry E. McCulloch was a rival candidate for nomination for State Treasurer. His candidacy in no way interrupted our friendship.

vention in its action merely registered the decree which had gone forth from the people. The objection of the delegate from one county kept the nomination from being by acclamation.

W. B. Wortham, my chief clerk, was selected to succeed me as State Treasurer. Knowing him to be entirely competent for the position, I espoused his candidacy for the nomination. He had a hard fight in the canvass and at the convention, but was nominated on the third ballot.

When Wortham filed his bond on January 23, 1891, I turned over to him the State treasury, taking his receipt in full.

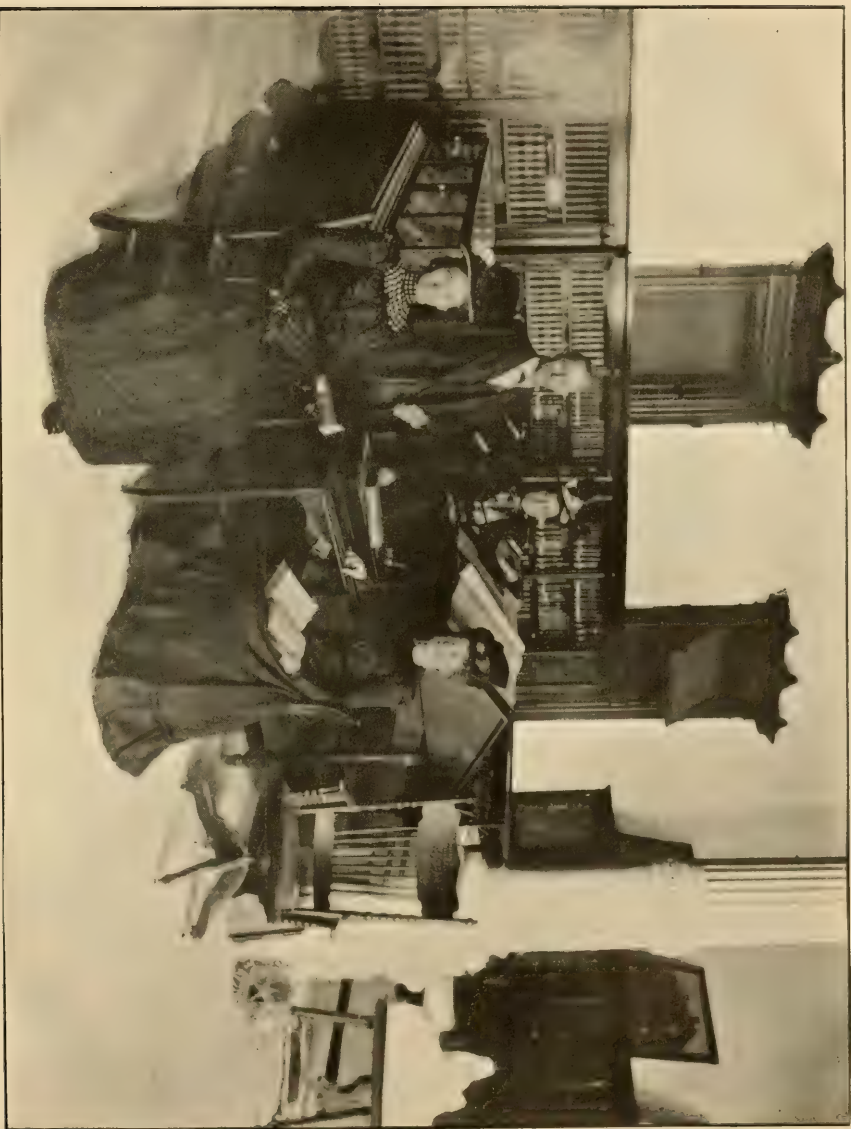
After so many years of service as State Treasurer, I felt truly thankful to Providence that I had been preserved in health and



CAPITOL OF TEXAS.

strength to the hour of my retirement, and that I had been enabled to discharge my official duties acceptably to the people and to myself.

During my term of office as State Treasurer, the present magnificent granite State capitol was erected. I was the only member of the original capitol board who served from the beginning to the completion of the building. It is a source of gratification to me that I was instrumental in having Texas stone used. The contractors insisted on using Indiana limestone. Governor Ireland stated emphatically that he would not sign a contract that would permit the building to be erected of foreign stone. I heartily concurred with him, stating that it had been advertised to the



SECTION OF THE STATE LIBRARY.

world that we had an inexhaustible supply of granite, limestone, and marble; that to permit these men to haul building material from another State would be a great injustice and outrage, and that if they saw fit to throw up their contract it would be well to let them do so, as there would be no difficulty in getting others to take their place, and we would be the gainers to the extent of the work already done. The Governor and myself, as members of the board, stood firm and, as a result, the contractors came to our terms and the capitol was built wholly of Texas granite, limestone, and marble, a verification of every statement made in regard to the mineral wealth of the State.

Requested by the donors to act for them in that capacity, I delivered a speech¹²⁴ at a joint session of the Twenty-second Legislature, held in the Senate chamber, March 8, 1891, presenting to the Senate, and through that body to the people of Texas, a very large and fine oil painting of Jefferson Davis. Lieutenant-Governor Pendleton made the speech of acceptance. The program of exercises had been prepared by a legislative committee appointed for that purpose, and was of a character worthy of the departed chief, whose memory will ever be treasured by the people of the South.

¹²⁴ See Appendix for speech.

CHAPTER THIRTY-SIX.

Family Matters — My Present Wife, Sarah Elizabeth Black Lubbock — Her Carolina Family — Our Visit to South Carolina — Hospitable Reception — A Pleasant Sojourn — Atlanta — Southern Prosperity.

In 1882, during my term as State Treasurer, God took to Himself my wife, Adele Baron Lubbock, whose love and devotion had brightened nearly fifty years of my life.

After the expiration of a year I married my present wife, Sarah Elizabeth Black Lubbock, whose love and devotion and



F. R. LUBBOCK.

S. E. BLACK PORTER.

energy have made my present work possible. She is from a Carolina family, and was the widow of Dr. A. A. Porter, a distinguished divine of the Presbyterian church. With this church I united about one year after our marriage, and I am well pleased to say that I have had more satisfaction in my religion since than in my previous political honors,—honors so kindly conferred by my fellow-citizens that my appreciation of them always helped me to live a grateful, happy life.

The accompanying page presents a group picture of the entire family of my wife S. E. Black Lubbock. It represents the vari-



ous members as they were at the period of the war between the States, with the exception of her father, James Augustus Black, who died soon after the close of the Mexican war, and a few weeks after his picture on this plate was taken. He was a member of the United States Congress from the Pinckney district, South Carolina; chairman of the House committee on military affairs, and an ardent supporter of the cause of Texas, that occupied so greatly the attention of that body during his term of office. When I was an enthusiastic Polk and Dallas man in the Lone Star State, he was as enthusiastic in his section and in Congress for our annexation.

Elizabeth Sarah Logan Black, her mother, was a daughter of Col. John Logan, a soldier of the American Revolution in his boyhood, and a prominent citizen of Abbeville district, South Carolina, in the early part of the nineteenth century.

John Logan Black, her brother, was colonel of the First South Carolina cavalry, Hampton's command, in the Confederate States army, and served with distinction through the war.

Mary Foster Black Davies, her sister, married, in 1861, Rev. James Adams Davies, a Presbyterian minister of York, S. C., and at her death left one son in South Carolina and one in Texas.

The Black family, ever since its settlement in America in pre-revolutionary days, has been among the most prominent, influential, and respected in Pennsylvania and the Carolinas.

The year 1891 found me for the first time in my life with no pressing public or private employment, and with liberty to make a trip purely for purposes of pleasure. Being so situated, my wife and I decided to visit South Carolina, her native State, where she often visited her kinpeople during her widowhood, and about the first of July of that year we started upon the journey. We stopped off at Houston for a pleasant stay of short duration with Mary Lubbock and Bob Lockart, and in due time reached Greenville, S. C., where we were welcomed by my wife's brother, Col. John L. Black, and her sister, Mrs. Davies.

I found Greenville a handsome and prosperous city of 10,000 inhabitants, second in commercial importance to Charleston, and was agreeably surprised to meet quite a number who knew me and remembered my brother Tom S. Lubbock. We spent several weeks in Greenville, and we still retain many pleasant recollections of its hospitable people.

During our stay there was an ex-Confederate reunion in Greenville, at which, in compliance with a pressing invitation, I delivered a speech on August 4th to the veterans of the "lost cause" and citizens assembled in the City Park.

I was introduced by Colonel Crittenden as having been the War Governor of Texas, and later on the staff of President Davis, and as a South Carolinian by birth, the colonel taking advantage of the occasion to say much of a complimentary nature in my behalf. In my address I alluded to the fact that Bonham, the hero of the Alamo, was a South Carolinian; that, sent out to procure reinforcements and failing, he cut his way back into the Alamo to die with its garrison, which he then, better than any other, knew to be doomed.

I said also that Rusk, Hemphill, Wigfall, Roberts, Murrah, B. E. Bee (father of Barnard E. Bee), T. N. Waul, A. S. Lipscomb, and Chas. S. West, all distinguished in the annals of Texas history for great abilities and public services, were born in the Palmetto State. I said that in nearly every hamlet and neighborhood in Texas South Carolinians, or the descendants of South Carolinians, were to be found, and that all I had ever known had proven themselves to be good citizens. I sketched briefly the history of South Carolina in the American Revolution, in the aid given by her sons to the cause of Texas freedom, and in the part she took in the Mexican war and the war between the States, in both of which struggles her soldiers and those of Texas fought shoulder to shoulder; and stated that these two commonwealths, whose people were bound together by so many enduring ties, were equally dear to me and would be to my dying hour; that I gloried in the prowess the soldiers of both had shown on the battlefield; the purity, patriotism, and wisdom the statesmen of each had exhibited; and the imperishable renown that had been achieved by both in the course of the civil and martial struggles that had marked the progress of our national life. I said that, while the career of South Carolina reached back to a much more remote period than that of Texas, and she could show a longer scroll, inscribed with the record of far more numerous deeds of valor and worth, yet the scroll of Texas gleamed no less brightly, and the record it displayed was, as far as it extended, no less honorable and heroic.

I talked to the veterans of the parts they and others like them

had taken in the war between the States; of the reconstruction period; of the progress being made by the South, and of my hopes for its future, and concluded by saying that Confederate reunions should continue to be held until the last of those who wore the gray have passed from the scenes of earth. They asked me to do so, and I talked specially of Mr. Davis for awhile.¹²⁵

Judge Cothran and Col. James Armstrong, of Charleston, delivered interesting addresses.

After the speech-making, and a benediction pronounced by Rev. John O. Willson, all repaired to another part of the park, where an elegant picnic dinner was served near a beautiful spring, under the overshadowing boughs of a grove of century-old oaks.

From Greenville we visited relatives at Greenwood, in Abbeville County; Cross Hill, and Blacksburg. The latter place is named in honor of Mrs. Lubbock's family. Her father and E. Graham owned the King's Mountain Iron Works and a considerable tract of land near Blacksburg containing extensive iron deposits. At the time of our visit her brother, Col. John L. Black, was vice-president of the Magnetic Iron and Steel Ore Company, organized for the purpose of developing the mines, which now give promise of becoming valuable. My wife's sister and brother came from Greenville to join us at Blacksburg and remained with us during our few weeks stay there. We visited the house where my wife was born (now occupied by the employes of a cotton factory) and the family plantation. The latter is still owned by her brother, sister, and herself. As the town contained many of her relatives, our stay there was made very enjoyable. Colonel

¹²⁵ "Governor Lubbock spoke for an hour and a half," says the *Greenville Daily News*, "and was given the closest attention. . . . The speaker said he had heard many good men say, 'we fought for what we thought was right.' He did not like to hear men make that remark, because 'we fought for what we knew was right.'"

"Speaking of the overwhelming numbers of Federal soldiers, Governor Lubbock said that the records of the war department in Washington showed that it took five and one-half Federal soldiers to whip one Confederate. He told a story about meeting a friend in New York just after the war. His friend said, 'Colonel, I've just found out how we were beat.' 'How's that?' asked the Governor. 'Why, they've got more omnibus drivers in New York City than we had cavalry in the war.' The story caused laughter and applause."—Ed.

Black and I made a trip to my old home, Charleston, where I had not been since the meeting of the Democratic convention in 1860. Notwithstanding all the misfortunes visited upon her by war, flood, fire, and earthquake, I found the city much improved, and discovered quite a number of old landmarks, associated with my recollections of boyhood, unchanged—notably the old two-story brick in which I took my first lessons in business, the very doors, including the hinges upon which they were swung and the locks with which they were fastened, appearing the same, although sixty years had elapsed since I stepped forth from this initial point of endeavor to seek what fortune for myself awaited me in the world. As I anticipated, I found but few of my family connections living. I was gratified to find that those who survived were pleased that I had come so far to see them and the old place. Dr. Hopson Pinckney's son, G. Pinckney, Esq., was very kind to me, showing me about the city and pointing out places and objects of interest. I visited the spot where my parents' home once stood, on South Battery.

From Charleston we went to Grahamville to visit Cousin Ann Oswald, always so dear to the entire family, and from whom I received so many evidences of kindness and love in my childhood days. She was eighty-five years old, but in good health and cheerful, her mind as bright as at any period of her life, and she was delighted to see me. The pleasure I experienced was fully as great as hers. She was living with her nephew, Charles Bell, a prominent lawyer of that section.

Having discharged this duty, we returned to Charleston, and proceeded thence to Columbia for the purpose of meeting my old-time friend and schoolmate, Dr. Hopson Pinckney, who came in from his country home near that city to see me. After enjoying the pleasure of talking over old times with him, and seeing that a separation for thirty years had dimmed his regard for me as little as it had mine for him, Colonel Black and I returned to Blacksburg and rejoined Mrs. Lubbock.

During the few days that we remained there, Col. Wharton Green, an accomplished North Carolinian, came to visit us upon the invitation of Colonel Black. They were West Point chums. I had made his acquaintance many years before, and I was truly gratified at his coming. His father, Gen. Thomas Jefferson

Green, brought men and means to the aid of Texas in her revolutionary struggle.

On leaving Blacksburg, Mrs. Lubbock and I accompanied her sister to Greenville, remained there a week, and at the conclusion of our delightful sojourn started on our journey home, which we reached September 12, 1891.

On our way to Texas we stopped at Atlanta, Ga., to spend a few hours with Dr. J. H. Logan's family, relatives of my wife. They rendered our visit to them very pleasant.



F. R. LUBBOCK.

S. E. BLACK LUBBOCK.

(Our Latest Pictures.)

As I expected, Atlanta had grown wonderfully, and contrasted happily and markedly with the town that I escaped from when Hood was evacuating it and the Federals were preparing to enter it. This city is an epitome in brick and mortar, in railroads and factories, in increased population and wealth, and in evidences of commercial vitality, thrift, and energy, of the successful struggle that has been made by the Southern States from the gloom and poverty that followed the war to the present condition of prosperity they enjoy. The South is steadily growing richer and

more populous; the commercial and industrial sceptre is passing to it from the East, and at no distant time in the future it will be a dominant factor in the Union; and I rejoice that this is so,—that a higher power than human hate has shaped its destinies and is leading it on to an ever brightening and more glorious future. As I view this pleasing prospect, my love and veneration for the Old South grows warmer and more exalted, for the New South is but a natural outgrowth of the old.

I was glad to note that South Carolina bore witness to the fact that she was participating in the commercial reawakening and onward march. Dear old South Carolina, mother of patriot-statesmen and soldiers, grand old State that gave me birth and cradled me in thy arms, my heart turns fondly to thee as I pen these lines. Go on, thou and Texas, into the future that awaits thee, and there, as in the past, be foremost, in times of peace and war, in every good work and, with counsel and valor, help to make the Southland the fairest and best, the richest and most powerful, the bravest and most patriotic portion of this great republic, that now, having extended its sway across the continent, from the Atlantic to the Pacific, is stretching forth strong arms to encircle the isles of the sea.¹²⁶

¹²⁶ The Greenwood correspondent of the Abbeville, S. C., *Press and Banner*, under date of August 11, 1891, said: "The War Governor of Texas, ex-Gov. F. R. Lubbock, and wife, spent several days in town last week, the guests of Mr. and Mrs. R. P. Blake. . . . While here the young men of our town with a number of our citizens serenaded them, after which they called upon Governor Lubbock for a speech. He responded in a very appropriate manner, . . . and his allusion to his native State was very touching. He said that he had lived his allotted time, and that he would wish that his bones could be laid to rest in this grand old State where he was born, were it not for the fact that it would show a want of gratitude upon his part not to have them laid beneath the soil of his adopted State, which had always honored him and made him what he was.

"Capt. J. T. Parks was present and responded for Greenwood in one of his best efforts."

The Greenwood *Observer*, then edited by J. H. Marshall, noticed the incident in an article bearing the caption: "Ex-Gov. Francis Lubbock—Honoring a Son of South Carolina Who Has Won Fame in the Far West."

"Between 9 and 10 o'clock in the evening," says the *Observer*, "a large party of gentlemen repaired to Mr. Blake's residence, where a

number of appropriate pieces were well rendered by the musicians. Before dispersing, Governor Lubbock was called on for a speech and responded in the most happy and appropriate manner. . . . After the party had been introduced to the Governor, and by him presented to his wife, who is also a South Carolinian, Captain Parks was called upon to respond for the city. Captain Parks' remarks were appropriate and eloquent, and were frequently applauded. Many of our citizens have met Governor Lubbock, and every one is delighted with his hearty joviality, courtesy, and kindness. Greenwood never entertained a more welcome guest."

The *Charleston News and Courier* contained a lengthy notice of Governor Lubbock's visit to that city, heading the article "The Return of the Native—Ex-Gov. Francis R. Lubbock of Texas Revisits the Home of His Boyhood for the First Time in Thirty Years—Interesting Reminiscences," and embodying in the article a biographical sketch of the Governor.

Governor and Mrs. Lubbock were the recipients, at the various points they visited in South Carolina, of every courtesy and honor from press and people that could have been expected from an intelligent, chivalric and appreciative people desiring to welcome to their midst a distinguished son of that State, and his wife, daughter of one of the ablest representatives that South Carolina had in time past sent to the Congress of the United States.—ED.

CHAPTER THIRTY-SEVEN.

Penitentiary Board and Board of Pardons—Hogg's Re-Election—His Impress on Texas Legislation—Sherman and Burnet Monument—Confederate Reunion and Winnie Davis—Culberson—Chilton—Primary Election—Omaha Excursion—Galveston Convention—Platform on Expansion—Sayers' Administration—Executive Appointments—A Year's Work—My Adieu.

I approved Hogg's policies and favored his renomination in 1892. Overcoming the influence of corporations working mightily against him, he (Hogg) was renominated for Governor, with M. M. Crane for Lieutenant-Governor. The bitterest political contest ever known in Texas ensued. But in spite of the formidable opposition, under the leadership of George Clark and Thomas L. Nugent, Hogg was indorsed at the polls by a reelection.

At the request of Governor Hogg,¹²⁷ I served as a member of the penitentiary board during his first term of office. In that capacity I made several trips to Huntsville and Rusk on official business. On one occasion we visited the lower Brazos with a view to purchasing sugar lands for the State. Our party consisted of Governor Hogg, R. W. Finley, Col. A. P. Wooldridge, Judge Smyth, Colonel Whately and others, and we had a pleasant time together.

¹²⁷ Governor Hogg has apparently left his impress indelibly on the political history of Texas, and embodied permanently in the State's organic and statutory law the policies for which he contended.

This is evidenced by the following five of the many important and far reaching enactments passed during his administration, viz.:

1. Establishing the Railroad Commission.
2. Prohibiting the issuance of fictitious stocks and bonds by railway companies.
3. Restricting the power of counties, cities, and towns to issue bonds.
4. Defining perpetuities and prohibiting the ownership of land by corporations for agricultural, horticultural, or speculative purposes.
5. Prohibiting aliens—people not residents or citizens of Texas or of the United States—from owning lands except for a limited period.

To relieve the Governor of hard labor that could be done by others, the Legislature during Governor Hogg's second term created a board of pardons, whose business it was to investigate the cases of all convicts seeking pardons and report to the Governor for final action. I accepted a position on the board. Judge L. D. Brooks, an elegant gentleman and able lawyer, was the other member. Our two years' association was of the most pleasant character. This was my last service as a public official.

On invitation of the Daughters of the Republic, I participated in the ceremonies attending the unveiling of the monument to Burnet and Sherman at Galveston, March 2, 1894. After a most eloquent speech by Norman G. Kittrell, the orator of the day, I was called out. Unprepared as I was (I had not been notified that I would be expected to make a speech) I rose and made a few remarks on the characters of Burnet and Sherman, saying in conclusion: "A great many people think I was in the battle of San Jacinto, because I am secretary and treasurer of the veterans. I am sorry, now, that I was not in that battle; for, if I had been, my Texas record would now be complete. And, really, if I had known how few of you would have been killed, I would have most certainly been there." This brought a smile to the faces of the veterans. Aged though they were, they still had soldiers' hearts, and the true soldier will appreciate and laugh at a joke even under fire.

I was present at the grand reunion of Confederate veterans at Houston in May, 1895. It was a delightful affair, and I enjoyed the company very much. Besides this, I had the pleasure of meeting Miss Winnie Davis,¹²⁸ whom I had not seen since the reinterment of the remains of Mr. Davis at Richmond, Va.

Attorney-General Charles A. Culberson succeeded Hogg as governor of Texas and held the office for two terms without serious opposition. His administration followed closely in line with that of his predecessor as to policies.

¹²⁸ Mrs. Wm. M. Rice during the reunion gave to her an elegant reception at the Capitol Hotel. Upon my entrance into the room Miss Winnie rushed to me exclaiming, "My father's dear old friend and my childhood's friend," and threw her arms about my neck. This demonstration of affection and the rising memories of the olden time filled my eyes with tears to overflowing.

In 1898 Governor Culberson was recommended at the primary elections throughout the State for United States senator. The Legislature meeting in January, 1899, formally elected Mr. Culberson to that high office. The senior United States senator, Hon. Horace Chilton, initiated the plan of electing senators by primary elections in his own case in 1894, leaving the formal ratification of the popular choice to the Legislature. The primary system for nominating all officials, it seems, has come to stay.

On invitation of Governor Culberson, I was a member of the party¹²⁹ that accompanied him to the Trans-Mississippi exposition held at Omaha in 1898, to be present at the exercises on Texas day. We left Austin at 7 a. m., August 15th, over the Houston & Texas Central Railway. One of the most pleasant features of the journey was the reception accorded us as we passed along. To show us consideration the people congregated at many of the stations (representative citizens with their lovely wives and daughters), cheered for Texas, and called for speeches. Governor Culberson responded to most of these demands. At a town just as we entered Kansas, where a large and enthusiastic concourse had assembled, the Governor invited me to go to the platform and introduced me as the War Governor of Texas, and the oldest ex-Governor of the State. I made a few remarks, saying by way of conclusion: "When I look into your intelligent upturned faces, if it were not for the fact that I know I am in Kansas, I would take you for Texans." To heighten this impression, I suppose, they gave us a genuine soul-stirring Texas yell as our train moved out of the station.

¹²⁹ Among others of our party were R. B. Hubbard, R. W. Finley, Geo. F. Pendexter, John C. Meade, W. M. Giles, E. P. Holland, Eugene Williams, Dr. B. M. Worsham, Prof. R. L. Batts, Judge J. H. Robertson, W. G. Sterrett, G. J. Palmer, Tom Richardson, W. A. Childress, R. U. Culberson, Gus F. Taylor, R. E. Smith, L. A. Carlton, L. S. Flatau, J. S. Myrick, William Wolf, and the Governor's staff: Gen. A. P. Wozencraft, Col. J. D. Rudd, Col. B. F. Sherrill, Col. R. J. Murphy, Col. W. B. Henderson, Col. I. M. Standifer, Col. S. E. Moss, and E. R. McLean. Colonel Sterrett, of the Galveston-Dallas *News*, and Mr. Bushick, of the San Antonio *Express*, accompanied and remained with our party until our return. They were especially kind and added much to our enjoyment.

At Omaha the address of welcome was delivered by Lieutenant-Governor Holcomb, of Nebraska, and replied to by Governor Culberson. On Texas day, August 18th, ex-Governor Hubbard was orator of the day. Hubbard's speech was a magnificent effort. We were the recipients of many courtesies, and had an enjoyable time during our attendance at the exposition.

During our visit to the State of William Jennings Bryan we would have been glad to have met him, for of all the public men in the Union, he was then, as he is now, the most popular with Texas Democrats; but owing to his being absent we were denied that pleasure.

However, we met many distinguished and pleasant people, and returned home with most agreeable recollections of the people of the great Northwest and their hospitality.

Assistant Passenger Agent George had charge of our train and the care of our party, and he was most attentive to our comfort from start to finish. To me he was as kind as a son could have been. We were also under many obligations to the officers of the Rock Island Railroad for courtesies extended.

In the canvass for the gubernatorial nomination in 1898 Major Joseph D. Sayers had a walkover, all contesting candidates having retired before the meeting of the convention at Galveston, August 4th. Major Sayers was nominated by a rising vote, and a committee consisting of A. W. McIver, John W. Wortham, and myself escorted him to the platform, where he was royally greeted, the delegates rising in their seats and yelling and cheering. As spokesman for the committee, I referred briefly to Major Sayers' public services, saying as to his military record that he was the only man I ever saw in the field on two crutches.

In concluding his eloquent address of thanks and acceptance, Major Sayers pledged himself to maintain the integrity of the Democratic party by adhering to its principles and policies as declared in the platforms, and, if elected, to perform all his official duties honestly, faithfully, and to the best of his ability.

The other nominees were: J. N. Browning, for Lieutenant-Governor; Thos. S. Smith, for Attorney-General; R. W. Finley, for Comptroller; Geo. W. Finger, for Land Commissioner; John W. Robbins, for Treasurer; Allison Mayfield, for Railroad Commissioner; J. S. Kendall, for Superintendent of Public Instruc-

tion: Thos. J. Brown, for Associate Justice of the Supreme Court; and M. M. Brooks for Judge of the Court of Criminal Appeals.

The most exciting debate in the convention was on the question of expansion, arising from our victories on land and sea in the Spanish war. The platform utterance on the subject (advocated by Senator Horace Chilton and opposed by Congressman Joseph W. Bailey) favored expansion in the western hemisphere, but not in the eastern; that is to say, retention of West India Islands but not of the Philippines. The platform declared the war to have been forced upon us by the misconduct of Spain;¹³⁰ promised the President of the United States the full support of the Democratic party in all measures necessary to conduct the war to an early and successful end; favored the generous development of the American navy; favored the construction and control of the Nicaragua Canal by the United States, and denounced the revenue bill passed by the Republican party.

An important feature of the platform was a plank favoring the appointment by the Legislature of a committee to inquire into our State financial system, including the whole subject of taxation, and to formulate measures of reform.

I stood squarely upon the State Democratic platform throughout, and I shall continue to do so, accepting the changes, if any, made by the next National Democratic convention. Our whole ticket was easily elected by an immense majority, only the Populists offering a feeble resistance. The political excitement soon changed to an era of good feeling. Accordingly, the new administration opened under the most favorable auspices.¹³¹

Public anticipation as to the success of the new administration appears, after a year's trial, to be well justified. Indeed, no

¹³⁰ As an American citizen, I hold that the best result of the late Spanish war has been the restoration of fraternal feeling between the once discordant and belligerent sections of our country.

¹³¹ Among Governor Sayers' appointments in the capitol were C. Jefferson Johnson to continue in his office as Commissioner of Agriculture, Insurance, Statistics, and History; D. H. Hardy, Secretary of State; Joe Lee Jameson, Financial Agent; Thomas Scurry, Adjutant General; L. P. Sieker, Quartermaster Frontier Battalion; and Capt. Sam Harlan, Superintendent of Public Buildings and Grounds—all admirable selections.

serious damage could befall Texas under Democratic rule, for Democracy has always stood for good government.

The founders of the Republic—for there were giants in those days—by devotion to Democratic principles made possible the Texas of to-day. The spirit of '36, tested by the fires of 1861-74, lives immortal in the heart of every true Texan.

In conclusion, my prayer is that Texas may continue, one and indivisible, as a star of the first magnitude in the American constellation.



TEXAS VETERANS AND DAUGHTERS OF THE REPUBLIC ON THE SAN JACINTO BATTLEFIELD APRIL 21, 1895.

APPENDIX.

TEXAS POETS' TRIBUTE.

The following verses to the memory of my brother, Thomas S. Lubbock, were written by our mutual friends, William M. Gilleland* and Alfred M. Hobby, both of whom are now dead:

LINES

ON THE DEATH OF COLONEL THOMAS S. LUBBOCK.

BY WM. M. GILLELAND.

Respectfully inscribed to Mrs. F. R. Lubbock.

I sing now in the minstrel's strain,
Though heaviness of heart is mine,
That I must touch my harp again,
While bending at a warrior's shrine;
Though cold and calm in death he lies,
The sun-light of his fame shall glow
From where the Aztec dungeons rise,
To where Potomac's waters flow.

Proud sepulchres inurn their bones,
And columns rise where despots sleep,
Who paved their way with human groans,
To climb ambition's treacherous steep;
But they will moulder back to dust,
Nor leave a vestige of their name;
While patriots, to their country just,
Bequeath to grateful hearts their fame!

The bells, with iron tongues and slow,
Toll for the warrior's sable car,
And thrill those streets with notes of woe,
Whence lately dashed his steeds to war!
The death drum beats its solemn strain,
And o'er his bier proud banners wave,
While thousands swell the funeral train
That bears brave LUBBOCK to his grave!

* Brother of Mrs. Rebecca J. Fisher, now (1900) president of Travis Chapter, Daughters of the Republic.

And Texas mourns her gallant son,
Who freedom valued more than life,
And promptly rushed where death is won,
When sounded first the notes of strife!
For well she knows that, though denied
The death he wooed, if death must come,
Ne'er nobler patriot ever died,
Nor braver soldier met his doom.

Dread Alamo! thy walls can tell,
How human tides surged on thy breast,
And freedom's lions proudly fell,
From tyrant hands thy halls to wrest;
There, herbage rank, and hoary trees,
In leaves and blossoms bear on high
The sacred blood and dust they seize
From hero hearts that round them lie!

Now cold in death lies LUBBOCK's form;
Yet, Alamo, thy rampart knew
How, 'mid the battle's fiery storm,
On—on to scale their heights he flew!
And how, with comrades true and brave,
He nobly fought the bloody fray;
How foemen found a gory grave,
And Texians won a glorious day!

And where are they—his comrades brave,
Those patriot hearts of high degree,
Who fought, their country's rights to save,
And make her noble, proud and free?
Alas, but few now grace the land,
And these but feebly hold their place,
Where *strangers* boldly now demand,
The honors due their gallant race.

Oh, peaceful, LUBBOCK, be thy rest!
Thine is a name "not born to die,"
And mid the valiant spirits blest,
No purer one illumines the sky—
The mural bay and laurel bloom,
Meet emblems of the warrior's fame—
Thine are they now, to grace thy tomb,
And be all deathless as thy name!

TO THE MEMORY OF
COL. THOMAS S. LUBBOCK,
Who Died at
NASHVILLE, TENN., ON THURSDAY, JANUARY 9, 1862,

While in the Service of His Country,

COMMANDING THE TEXAS RANGERS.

*Dedicated to Gov. F. R. Lubbock,
By Alfred M. Hobby.*

Drape in gloom our Southern Ensign,
Gently fold its crimson bars,
While cypress-wreaths around we twine
And dim with tears its burning stars.
Hearts are throbbing, eyes are weeping
Tears on noble Lubbock's grave,
Calm in death his form is sleeping,
Lamented Lubbock, true and brave.

But yesterday the minute gun
Came booming on our shore,
And on our day a shadow hung,
Brave Terry was no more.
He died on the soil that gave him birth,
Defending his country's trust,
Our vandal foes he crushed to earth,
Like servile worms of dust.

Then Lubbock unto thee we turned
To lead our Texian band,
We knew what fires within thee burned,
What courage nerved thy hand;
We felt that thou wouldst win from fame,
A laurel-wreath of glory,
And deeds of valor give thy name
High place in Southern story.

When, years ago, a single star
Illum'd our Western sky,
Its radiant beams were hailed afar,
And caught his youthful eye.
Forsaking home, to aid the brave,
Foes and dangers scorning,
To his adopted Mother gave
The vigor of life's morning.

Where'er her ensign was unfurled,
Beneath were souls to dare,
And valor's arm foes backward hurl'd.
In victory's meteor glare.
He saw it wave—that Lone Star flag—
Above the Rocky Mountains,
Where frozen tears from the icy crag
Weep into silver fountains.

He saw that flag reflected gleam
Down deep in Pecos' river—
Its azure folds, its silvery sheen,
On flowing waters quiver.
He saw it meet the rising day
On Santa Fe's broad plain,
Which, cold and cheerless, stretched away
Where gloom and silence reign.

He saw that star the heavens climb
Through battles' lurid light,
Still upward, in its strength sublime—
Unutterably bright.
In Aztecs' dungeons, dark and deep,
Its beams resplendent shedding,
He heard success, along Fame's steep,
Our mystic future treading.

Unchanging still—through rest or toil
His heart for Texas burning;
It loved her sons and blood-bought soil;
It knew no shade of turning.
And when our honor was assailed,
Indignant shouts were raised;
The Lone Star fluttered in the gale,
And reddened, flashed, and blazed.

It swept on high the fleecy cloud—
It sought a loftier station;
And joined, 'midst cheers of Freeman, loud,
The "Southern Constellation!"
And there it shines—God bless that Star—
God bless her sister stars;
'Tis Venus in the days of peace,
In war the planet Mars.

Upon Manassas' gory field,
Where fell the shafts of death,
Its new-born splendor stood revealed
Midst battle's sulphurous breath.
Where thickest rain'd war's iron hail,
And gush'd the crimson tide,
Undaunted there our Lubbock stood,
Brave Terry by his side.

Far in advance, on Fairfax heights,
Rais'd by a tyrant's minion,
They struck the flag that dared insult
Our honor'd Old Dominion.
Enough! They were strong friends in youth—
In spring time's pleasant weather—
Two souls close bound in bonds of truth—
In death they sleep together.

Time's brightest page their names adorn,
Their deeds are history's trusts,
And fame's green laurels, fresh as morn
Will crown their honored busts,
The fevered frame and aching head
Of Lubbock is at rest;
He sleepeth well 'neath Southern skies,
Still looking to the West.

Proud Carolina's never borne
A truer son or braver;
And like herself would trample on
Power's threat or favor.
But pulseless lies that heart of worth
Beneath the swelling sod,
His body with its mother earth,
His spirit with its God.

On hearts bereaved a pall is cast,
And withered seems life's flowers;
Oh! let your tears flow free and fast,
With them shall mingle ours.
Eternal honor to the brave.
May Spring her garlands wreath
Immortal blooms to deck his grave,
And Christ his soul receive.

SPEECH ON JEFFERSON DAVIS.

Delivered by me at a joint session of the Twenty-second Legislature, held in the Senate chamber on the evening of March 8, 1891, the occasion being the presentation of a portrait of Jefferson Davis.

Mr. President, Members of the Twenty-second Legislature, and Ladies and Gentlemen:

I am accorded by this august body the distinguished honor of appearing before you, and at the request of my friends, B. Eldridge, C. C. Garrett, W. W. Searey, D. C. Giddings, Jr., and Beauregard Bryan of Brenham, Washington County, to present in their behalf through you to the Senate of Texas and the people of Texas the portrait of Jefferson Davis, one of our most illustrious countrymen.

This magnificent portrait is the product of the genius of McArdle. The artist was for some twelve months during the war on detached duty in the city of Richmond, and saw Mr. Davis very often. It was also his good fortune to have as his model before him the great head of the Confederacy as he stood in tears before the artist's "Lee at the Wilderness." In 1875, during his visit to this State, Mrs. Davis, too, kindly assisted with her personal description of the man so dear to her and the people of the Southern States. She wrote: "Mr. Davis was five feet eleven and one-half inches; his eyes were blue and very bright; they were a decided blue, with large pupils; the arch of the eyelid was abrupt and the eye was well opened and very fearless in its expression; his hair was full and fell on his head in large soft curves—not curls, only it had never a stiff effect, and was very fine and abundant."

The expression of the face is that of lofty and firm resolve, traceable no doubt to the matter contained in the dispatches held gracefully in his left hand. His right hand rests firmly and naturally on a map of Richmond defenses, showing the cause for which he contended, the map in turn resting upon the Constitution of the United States.

The expression of the body is that of action; the fingers of the right hand are vigorously raised, while the left leg is boldly advanced, all together depicting the energy of action, mental and physical, which was a characteristic of Jefferson Davis.

You see the battle-torn flag which drapes the portrait. It is the flag of the regiment of Mississippians led by Jefferson Davis at Monterey. It was presented to the company of Capt. A. K. McClung by the ladies of Columbus, Mississippi, in 1846, when the volunteers were leaving for the Mexican war, and was received by the color sergeant, George W. Campbell, whose widow now treasures the relic. Miss Kate Austin made the presentation in behalf of the ladies whose deft fingers formed the flag from their own silk dresses, the white being from the wedding dress of Mrs. Dr. Malone, of Columbus. At the storming of Monterey

it was used as the regimental colors, and the bullet rents show that it was carried in the thickest of the fight. There the brave McClung fell desperately wounded.

While I feel very deeply the compliment paid me, I could have wished that the duty, although pleasing, had been allotted to some more eloquent tongue; yet I will say that it could not have been assigned to any one feeling a deeper veneration and love for the dead hero and statesman. I approach the subject with a full knowledge of the great undertaking, for the story of his life and death has been told in prose and song by many of the ablest minds of our country, and I fear that I can add but little to what has been said to interest you, and more especially as the most of you were present at the beautiful, interesting memorial services in the other chamber this afternoon. I shall, however, endeavor to place before you something of the history of this great man, and of my observation and recollection of him, gained from the closest intimacy and friendship. Should I dwell too long on his life, character, and many virtues, bear with me for the love I cherish for the memory of one of whose friendship while living I am greatly proud.

HIS BIRTH, EARLY HISTORY, ETC.

Jefferson Davis was born June 3, 1808, in Christian County, Ky., now Todd County; the village of Fair View the place. The Baptist church now stands on the very spot which gave him birth, the land having been quite recently donated by him (he being an Episcopalian and a poor man when making the gift). His father was Samuel Davis, a native of Georgia, and a captain of infantry at the siege of Savannah during the Revolution. While yet an infant his father removed to Wilkinson County, Mississippi. After attending the neighborhood schools, in 1824, at the age of 16 he entered West Point, graduating in 1828. Then an infantry officer, he was assigned to duty on the western frontier, where he remained until 1833.

An occurrence took place while stationed there showing the fine sense of honor which ever characterized the man. The officer in command having been guilty of excesses and unsoldierly conduct, the officer commanding the department desired Captain Davis to prefer charges; he declined. The officer insisted and threatened proceedings against Davis if he continued to refuse. Davis then told him that he would resign rather than prefer the charges, and when his reasons for refusing were demanded, his reply was, "his dismissal would result in my promotion." Shortly after he was transferred to a dragoon regiment. After a successful campaign against the Indians, he resigned in 1835. He left the army for the purpose of fulfilling an engagement of several years standing, and married the daughter of Gen. Zachary Taylor (subsequently President of the United States). It may be stated here that much has been said about Davis running away with the General's daughter. It's a great mistake. It is true that the General made some objections. The mother was dead, but they were married at the home of a near relative

of the bride. After the battle of Buena Vista the General remarked "that his daughter was a better judge of men than he." After marrying he became a cotton planter in Warren County, Mississippi. He lost his wife shortly afterwards, and lived in great seclusion until 1843. In those long years he was reading, thinking, and preparing himself to meet the subsequent demands made upon him by his fellow men.

POLITICAL CAREER.

In 1843 he for the first time engaged in politics. In 1844 he was chosen a presidential elector in the Polk campaign. In 1845 he was elected to Congress. In June, 1846, at the commencement of hostilities between the United States and Mexico, he was elected colonel of the Mississippi regiment. It would be useless to dwell at any length upon his marked ability and gallantry as a soldier in that war. The history of the times has given him and the gallant Mississippians under his command a name for patriotism and heroism on the battle field that will last to all time. He was seriously wounded at the bloody battle of Buena Vista, remaining, however, in his saddle and in command the entire day. In consequence of this wound and his continuing on horseback for hours afterward, he was compelled to return home on crutches. Previous to his return President Polk had appointed him a brigadier-general of volunteers. He declined to accept the appointment, because he denied the right of the President to make such appointment, contending that volunteers were militia, and the State had the appointment of officers under the Constitution. Thus it will be seen that he was ever found battling for the reserved rights of the States and resisting all encroachments of the Federal government upon the States. In 1847, in consequence of the death of a Mississippi senator, he was appointed by the Governor to the vacancy. In January, 1848, he was unanimously elected by the Legislature to fill the unexpired term, and in 1850 was elected for the full term as his own successor. In the United States Senate he was chairman of the military committee. He took a prominent and active part in the debates on the compromise measures of 1850, opposing Douglas and others in their theory of squatter sovereignty, and advocating as a means of pacification the extension of the Missouri compromise line to the Pacific. He was Secretary of War during Mr. Pierce's administration, serving the entire four years. As Secretary of War he was laborious, full of energy, activity, originality. It was he who introduced camels for service on the western plains, an improved system of infantry tactics, effected the substitution of iron for wood in gun carriages, secured rifled muskets and rifles and the use of minie balls, and advocated the increase of the defenses of the seacoast by heavy guns and the use of large grain powder.

While in the Senate he advocated as a military necessity, and as a means of preserving the Pacific territory to the Union, the construction of a military railway across the continent; and as Secretary of War he was put in charge of the surveys of the various routes proposed, per-

haps for a similar reason—that he had advocated the improvement. He was also put in charge of the extensions of the United States capitol building. The southern route recommended by him was one of the routes subsequently chosen. When Congress met in the fall of 1860 he was appointed one of the Senate committee of thirteen to report some practicable adjustment of the controversies which then threatened the dissolution of the Union. He wished to be excused, but at the solicitation of friends consented to serve, then avowing his willingness to make any sacrifice to avert the impending struggle. The committee consisted of men belonging to the three political divisions of the Senate, the States Rights men of the South, Radicals of the North, and Northern Democrats, with one member who did not acknowledge himself as belonging to any one of the three divisions,—Mr. Crittenden, an old-time Whig and the original mover of the compromise resolution. The Northern Radicals failed to sanction any substantive proposition. Finally the committee reported their failure to find anything on which the three divisions could unite. Mr. Douglas, who was a member of the committee, defiantly challenged the Northern Radicals to tell what they wanted. As they had refused everything, he claimed that they ought to be willing to tell what they proposed to do.

Senator Davis remained in his seat until officially informed that Mississippi had passed the ordinance of secession. He then took formal leave of the Senate in a most touching and dignified manner, announcing for the last time in that body the opinions he had so often expressed as to State sovereignty, and as a consequence of it, the right of a State to withdraw its delegated powers. Before he reached his State he was appointed by the convention of Mississippi commander-in-chief of its army, with the rank of major-general, and he at once proceeded with the task of organization. He went to his home in Warren County in order to prepare for what he believed was to be a long and severe struggle. He was not permitted to remain at home, for he was very soon notified that he had been elected Provisional President of the Confederate States, and although reluctant to accept the position, the circumstances surrounding the country would not justify a refusal, and he was inaugurated at Montgomery, Alabama, on February 18, 1861, with Alexander H. Stephens, of Georgia, as Vice-President.

In his autobiography, from which I take the facts of his life before my acquaintance with him, he said: "In the selection of a cabinet I was relieved from a difficulty which surrounds that duty of the President of the United States, for there were 'no sections' and 'no party distinctions.' All aspirations, ambitions, and interests had been merged in the great desire for Confederate independence." He asserted in his inaugural address "that necessity, not choice, had led to the secession of the Southern States; that as an agricultural people their policy was peace and free commerce with all the world; that the constituent parts, not the system of government, had been changed."

Following the many able writers and distinguished orators who have written and spoken of the illustrious dead, whose portrait we behold to-

day, those that have said so much of his patriotism, his great intellect, his grand integrity of purpose in all things, his Christian virtues, his heroism, I trust that you, my friends and the people of this grand Empire State of ours, with whom I have been so closely linked for the past fifty-four years, will not charge me with presumption or guilty of super-erogation because I may speak of my friend and grand chief as I learned to know him from constant association under circumstances never failing to develop the characteristics and metal of the man. I had met Mr. Davis in 1860 in Washington as a United States senator, and while knowing but little of him personally, he was of course known to me, as he was to all men who read, as an army officer, a distinguished soldier, a brilliant senator, an active and able cabinet officer.

I also knew him as the man that Ben Butler, of Massachusetts, sitting within a few feet of me at the Charleston convention in 1860, had voted for fifty-six times as a suitable person to be President of the United States, so that I was prepared to meet a distinguished man. In my view he came up fully to the standard fixed upon him at that day, and stood as the peer of any man then in the councils of the government. Entertaining these views, as soon as I was chosen Governor of the State of Texas in 1861, I repaired to Richmond, Va., that I might take counsel of this great mind and endeavor to so shape my course touching the war as to give strength and prosperity to the Confederate cause. I found him then at the front, where he always was when his civil duties permitted.

I was again confirmed in my previously formed opinion of his ability, integrity, and patriotism. Returning home I was inaugurated, and through my administration Texas kept in harmony with the government at Richmond, putting into the Confederate service 90,000 men. Upon the expiration of my term as Governor, entering the army, and while serving in Louisiana, Mr. Davis appointed me on his staff, with the rank of colonel of cavalry, had my nomination confirmed by the Senate without my knowledge, and requested me, if I accepted, to report at once for duty; that he wished an officer near him as a representative from the trans-Mississippi country.

After an immediate and hurried consultation with Generals Wharton, Hardeman, and Harrison, and others of my military associates, I left for Richmond in a few hours. My reception was all I could have desired. Mr. Davis, always kind and polite, assured me of his pleasure at my coming so promptly, and made me feel quite at home in his military family.

My first impression when I entered into his presence confirmed my previously formed opinion of his grand and dignified character, of his patriotism and devotion to the work to which he had been called by a trusting people. Constant attendance day by day upon the executive, while in his office, or during his very frequent visits to the field, the camp, and the hospital, founded in my heart a strong love for the man, and still more increased my admiration for the soldier and statesman.

Frequently visiting his home in Richmond and seeing him with his

talented and lovely wife, surrounded by his children, I knew him as the noble husband and affectionate Christian parent.

Beside the happiness of his family, he appeared never to be concerned about anything but the welfare of his people.

From the day I took service with him to the very moment that we were so cruelly separated, subsequent to our capture, his request that I should be placed in the same prison with him being denied, all through his triumph and his adversity, I witnessed his unselfishness. He displayed more self-abnegation than any human being I have ever known. While commander-in-chief, with thousands at his bidding, he invariably declined escorts and guard, and when cautioned about exposing himself to danger he always replied, "I have no fear for myself," and in the most unpretentious manner he would visit the lines of the army oftener with one aide than more. While fond of society he rarely, though often pressed, ever sought it during the war, it being his pleasant duty to give every hour of his time to his country. While burdened with weighty matters of state, he was kindly attentive to all classes of people. He was as polite and affable to the humblest soldier or his messenger boy as to the officer of highest rank in the army. For this, and his many great virtues, he was loved by all who served near his person. He was always welcomed with great respect and cordiality when visiting the troops in their quarters. It has been asserted that he was harsh and severe to those with whom he differed. This is an entire misapprehension of his nature and disposition. Though tenacious of his own opinions and quite fixed in his judgments when formed, he seemed to me to be much more tolerant than other men of ability and power with whom I have been associated. While others would be intolerant and very exacting during our struggle, he would be the apologist of many who failed in their duties, treating delinquents with compassion and leniency. I may here be permitted to state as a historical fact that he never signed the death warrant of a soldier, and upon one memorable occasion the papers were sent him condemning a soldier to death for desertion. The papers showed letter after letter had been received by the soldier about the distressed condition of his family. They were suffering from sickness and want. Mr. Davis indorsed on the papers, "I would have gone home under such circumstances," which of course saved the life of the soldier.

HIS VISIT TO FRANCE, ENGLAND, AND SCOTLAND.

After the war was over, I had the good fortune of traveling with him in France, England, and Scotland. It is known that as an orator he was seldom equaled; as a conversationalist he surpassed all I have ever met. His accurate observations and extensive reading made him most charming as a companion, and as a traveling companion the life of any party.

He visited those countries for the purposes of business and to build up his shattered health, brought about by great strain upon him and

long imprisonment. In his travels he was always the same dignified and elegant gentleman that he was while a citizen, senator, cabinet officer, or President. He had friends and admirers wherever he went. He was always attractive and instructive in conversation. He was greatly appreciated and admired by those with whom he came in contact; particularly was this the case in France and Scotland. We visited the homes of Shakespeare, Scott, and Burns, all favorite authors of his. From Scott and Burns he freely quoted. While we traveled through Scotland with his friends, he would describe their battlefields, their heroes, quote Scott, and recite Burns in such a beautiful and accurate manner that in a little book published subsequently in Glasgow it is said, in speaking of his visit, "that if the works of Scott were destroyed the ex-President of the Confederate States could reproduce them."

In visiting the ship yards on the Clyde and Dumbarton, the ship builders would be so impressed with his knowledge of ship building that they would inquire if he had ever been connected with the building of ships; and so his knowledge of woodcraft and botany, and his great information as to animals and all subjects of discussion and conversation, were considered truly surprising.

VISIT TO TEXAS IN 1875.

But a greater pleasure than being in these foreign countries with him was accorded me when he visited Texas. I will tell you about that joyful time.

From the day Mr. Davis was released from prison by the United States government the people of Texas were solicitous to have him pay them a visit. They were not moved by idle curiosity; they were anxious to show the love and respect they bore him. This kindly feeling and respect was reciprocated by him. He knew them as brave soldiers in the early settlement of the Republic, he had witnessed their gallantry in the war between the United States and Mexico, and later in the war between the States, and thus drawn toward them he invariably replied to their solicitations that as soon as a favorable opportunity offered he would visit the people he had ever held in such high regard. Finally in May, 1875, a committee of citizens invited him to visit the State during the fair at Houston. The following characteristic reply was received:

"VICKSBURG, MISS., May 5, 1875.

"Col. F. R. Lubbock: My Dear Sir—I am engaged in a matter of much importance to me and of no little complexity. If it is possible for me to arrange matters so that I can leave, it will give me sincere pleasure to meet the good people of Texas, whose kindness impresses me with heartfelt gratitude.

"As heretofore, I am compelled to say, do not expect me, but if I do not go the regret will surely be deeper on my part than I can suppose it will be on that of others. As ever, truly your friend,

"JEFFERSON DAVIS."

He came, however, on a very short notice to the committee. He was received at Galveston with marked respect and attention, although he arrived on Sunday, and attended divine services at the Episcopal church during the day. The next morning he proceeded to Houston. The notice of his coming was very short, but thousands thronged the city to meet their illustrious ex-President, and never was an arrival marked by stronger demonstrations of love and affection from a people. His address at the fair grounds captured his hearers, old and young. The Association of Veterans of the Texas Revolution were present.

He spoke to them specially, and the old men grew wild at his magnificent tribute to them, as he enumerated the wonderful results they had achieved in giving to the country the great State of Texas. A very touching incident occurred while he was in that city. The survivors of the Davis Guard, a company composed entirely of Irishmen, desired to call on him in a body. He accorded them an interview. The writer of this with a few other citizens were present. It was a scene never to be forgotten. He made them a short speech, in which he referred to their brave conduct in defense of their adopted State. That gallant band of warm hearts and strong arms, each and every one, shook the hand of their President, as they called him, and not a dry eye was there among all those sturdy men as they parted from him. This company of forty-two men is mentioned in "Davis' Rise and Fall of the Confederate States," volume 1, pages 236 and 240, as having performed one of the greatest feats during the entire war, resulting in saving Texas from invasion and probable devastation. The people appeared loath to part with him, but he had to journey on. In passing through the country to Austin, at every town and station the citizens assembled in great numbers, and as he would appear upon the platform of the car, in response to their call, great cheering and hearty greeting came from an admiring people. The train was behind time in reaching Austin, the capital of Texas. It was raining, but men, women, and children stood where they had been for hours. They had improvised torchlights and waited for the train, that they might obtain a glimpse of their loved chief. He was received by the military, and escorted to his quarters, where he was met by the Governor of the State and others.

The next day thousands of men, women, and children called to shake his hand, and tell him how they honored and loved him. While at the seat of government he had every attention that could be shown him. His reception at Austin will never be forgotten, even by the little children that took part in it.

The people having heard of his coming, his trip from Austin to Dallas was like a triumphal march. Never before or since has such an outpouring of the people been seen in Texas. Arriving at Dallas, he was received by the military, the civic associations, and an immense concourse of people, and his stay while in that city was one continued ovation. Men, women, and children were never satisfied until they had

an opportunity of seeing their honored guest, and mothers were proud to have him lay his hands upon their children by way of recognition.

The people from every part of the State were sending committees for him to visit their particular sections or towns. He, however, found it necessary, from constant excitement and fatigue, to leave for his home in Memphis. On his way thither at Marshall, Texas, he was accorded the same hearty welcome and complimentary attentions that had been given him during his entire journey through the country. In fact, he was entertained and honored throughout the State more like a victorious general passing through the country on a triumphal march, after winning great battles, than a disfranchised citizen, the representative of a lost cause, with no emoluments or gifts to bestow, nothing being left him but his honor, his great brain, and his true and noble heart beating and hoping for the prosperity and happiness of his people.

After he passed the borders of the State he was quite exhausted from his extended travel and hand-shaking. This trip made a lasting impression upon him. He loved to dwell on his visit to the "Lone Star State," and the welcome he received while there. It was the first really grand ovation that had been given him after the surrender of the armies of the Confederate States. My heart beats proudly when I think my State should be the first to publicly honor the man, not for his successes and the honors he had to bestow, but for the cause he represented and his own personal worth. Moreover, during his stay with us offers came from various localities tendering him a suitable and comfortable home if he would but consent to remain or return to the State. These offers he politely declined, as he had previously those of the same character from other States. Of late years he had many pressing invitations to visit Texas again. Circumstances prevented his coming.

VISIT OF TEXANS TO MR. DAVIS.

I have described his visit to our home in 1875. Now I will tell you about a visit made by a party of Texans to his home in Mississippi during the exposition at New Orleans.

Having stated to a friend or two that I intended visiting Mr. Davis, it was mentioned at the hotel late in the evening, and on the following morning fifty-five Texans were at the train (a few ladies among them). Governor Ireland and the present Governor, James S. Hogg, were of the party. Arriving at Beauvoir, the home of Mr. Davis, we were received by him and his peerless wife with great courtesy and kindness. We were welcomed as Texans, the people of that State that had showered upon him so much honor and hospitality, and I venture to assert that every one of that party left delighted to have seen and taken by the hand the dignified master of Beauvoir. He recalled that visit many a time with pleasure, so appreciative was he of the attention of the company in going so far to see him.

Gentlemen of the Senate: The donors of this portrait of Mr. Davis desire to place it in your chamber "to preserve his face to future generations." These are their words.

That is good, and you must endeavor to plant the truth, the whole truth, and nothing but the truth about him in their memory. In order to do this, you must take notice, as Mr. Ridpath, the historian, says, that there are two Jefferson Davises in history. I quote a paragraph from his pen:

"Lest any foreigner shall read this article, let me say for his benefit that there are two Jefferson Davises in American history—one is a conspirator, a rebel, a traitor, and the fiend of Andersonville. He is a myth evolved from the hell-smoke of cruel war, as purely imaginary a personage as Mephistopheles or the Hebrew devil. The other is a statesman with clean hands and pure heart, who served his people faithfully from budding manhood to hoary age, without thought of self, with unbending integrity, and to the best of his great ability; he was a man of whom all his countrymen who knew him personally without distinction of creed political are proud, and proud that he was their countryman."

Now I am willing to do my share of teaching for the benefit of future generations. I speak from my own knowledge, and can not permit the present opportunity to pass without placing upon record a positive denial of the assertion that Mr. Davis was cruel to Federal prisoners.

FEDERAL PRISONERS.

No man on earth more than Mr. Davis desired to see prisoners supplied with necessaries, and to have them exchanged as rapidly as possible. It must be borne in mind that it was almost impossible at times for the Confederate States to feed their armies, and in very many instances, from the vigorous blockade kept up, it became impossible to get the necessary food and medicines for the sick. The families of the citizen soldiery near the battlefield frequently suffered for the necessaries of life. The Confederate States were in no way responsible for the non-exchange of prisoners.

Medicines were declared contraband of war. Such an urgent necessity existed at one time for medicines that the Confederate government offered to make purchase of medicine from the United States authorities, to be used exclusively for the relief of Federal prisoners. They offered to pay gold, cotton, or tobacco for them, and even two or three prices if required.

At the same time assurances were given that the medicines would be used exclusively in the treatment of Federal prisoners, and moreover, agreed, if it was insisted on, that such medicines might be brought into the Confederate lines by the United States surgeons, and dispensed by them. To this offer, incredible as it may appear, no reply was ever received. On January 2, 1863, Mr. Davis says Mr. Alex. H. Stephens, Vice-President, received full authority, and with entire cointelligence

between them, undertook the mission to Washington to insure the observance of the cartel and otherwise promote, as far as possible, humanity in the existing war. He was traveling under a flag of truce. He stated in general terms the object of his mission, and asked permission to proceed to Washington. The officer telegraphed to his government at Washington, and was answered, "The request is inadmissible," etc. A single paragraph from the letter borne by Mr. Stephens will indicate the general object of his mission:

"My whole purpose is to place this war on the footing of such as are waged by civilized people in modern time, and to divest it of the savage character which has been imposed on it by our enemies in spite of all our efforts and protests. War is full enough of unavoidable horrors, under all its aspects, to justify and even demand of any Christian ruler, who may be unhappily engaged in carrying it on, to seek to restrict its calamities and to divest it of all unnecessary severities."

Colonel Ould, in July, 1863, wrote to Lieutenant-Colonel Ludlow, United States commissioner of exchange, thus:

"Although you have many thousands of our soldiers now in confinement in your prisons, and especially in that horrible hold of death, Fort Delaware, you have not, for several weeks, sent us any prisoners. During those weeks you have dispatched Captain Mulford with the steamer New York to City Point three or four times without any provisions. I ask you with no purpose of disrespect, what can you think of this covert attempt to secure the delivery of all your prisoners in our hands without the release of those of ours who are languishing in hopeless misery in your prisons and dungeons?

"ROBERT OULD,

"Commissioner of Exchange."

Mr. Davis, when writing to General Lee for report as to his failure to get proper exchanges, received only for his answer his frequent reply:

"We have done everything in our power to mitigate the suffering of prisoners, and there is no just cause of further responsibility on our part."

Why pursue this subject further? Suffice it to say, that hundreds of pages could be furnished showing that President Davis did all that man could do toward caring properly for Federal prisoners, and sought in every possible way to obtain prompt exchanges.

History shows that the United States prisoners held by the

Confederate States were.....	270,000
Confederate prisoners held by United States were.....	220,000
United States prisoners died in Confederate hands.....	22,000
Confederate prisoners died in United States hands.....	26,000

Thus it appears that the Confederates, with an excess of 50,000 prisoners, had 4000 less deaths.

Why should this have been so—with all of the advantages with the United States in having plenty and good food and medical attentions? Where should the censure rest?

CHARGE OF TREASON.

Now, right here, about that charge of treason, I must say a few words.

Soon after Mr. Davis' capture rumors of every kind were rife in the land. He was to be tried by a drum-head court martial at once as accessory to the murder of Abraham Lincoln, and also for high treason. The charge as to his connection in any way with the death of Mr. Lincoln was so revolting and absurd among those of the North that knew Mr. Davis' character, that it soon was hushed and given up. Then they must prepare for his speedy trial for treason, and he was denounced over the land as a traitor. His case was immediately taken charge of by Mr. O'Connor, of New York, and other distinguished lawyers. They soon had his case ready for trial under the indictment found. After two years of weary discomfort and incarceration at Fortress Monroe, he was bailed and permitted to leave the United States, and when it was finally announced that he would be tried he appeared in court more than willing to answer to every charge, when without much ceremony he was discharged, his bondsmen released, and he permitted to go free. It is well authenticated that Chief Justice Chase declared that he could not be convicted of treason, and the government of the United States determined wisely not to make the issue.

Thus should have been put to rest forever the charge of treason, and the time will come when history will blot out the epithet of traitor so blatantly used by politicians and others of the present day, who have never yet comprehended the situation at the time of the separation of the States.

The time has not yet come, however, for it was only the other day, just the day before you passed your resolutions in the Senate, I clipped from the *Houston Post* of February 18, 1891, this paragraph copied by it from the *Illinois State Journal*:

"The Fort Worth *Gazette* says the first monument to the honor, integrity, statesmanship, and manhood of Jefferson Davis is about to be unveiled at Pensacola, Florida. The *Gazette* glorifies the occasion to the extent of half a column. The affection of the South for the leader of the lost cause is possibly natural, but the erection of monuments to exploit treason is a matter of doubtful propriety."

Now, right here I will give you the words of Mr. Davis:

"A traitor is one who violates his allegiance, and betrays his country."

"A rebel is one who revolts from the country to which he owes allegiance."

He held that his allegiance was due to his State, and was loyal to his State in following her fortunes after she withdrew from the Union. "A citizen's allegiance to the Federal government comes only through his allegiance to his State, for the Federal government was only the agent of the States which formed it, and they never surrendered their sovereignty to it."

Mr. Davis was often charged with obstinacy and hatred towards the

government, because he failed to petition for pardon and his restoration to citizenship. Those making this charge failed to estimate the character of this model man. He was conscious of having perpetrated no wrong; to ask pardon would imply that he had been guilty of crimes towards the government of the United States, which was sufficient to determine him as to his course, and, above all, he was the representative of millions of devoted men and women who believed with him that he was suffering vicarious punishment for them, and his noble soul would not permit him to brand them either as traitors or rebels, but to stand firmly and dignifiedly on the assertion that they were a free and sovereign people.

Yes, gentlemen of the Legislature, let us understand this matter well ourselves, and then hand down the truth to our children that a man could be charged with treason and yet be "a statesman with clean hands and pure heart." We all know that eighteen hundred years ago Jesus of Nazareth was brought before the high priest, accused of blasphemy by the very nation that possessed the greatest religious knowledge of the times, and yet to-day he is the prophet, priest, and king of the most intelligent nations of the earth. He is our light in religion and our hope of heaven. And in this generation Jefferson Davis is charged with treason by a government whose people above all are the most enlightened in the science of government, when we all do know how true he was in his allegiance to the Constitution. Then let us build monuments to his memory and hand down his political teachings to our children, that they may understand how to preserve for their own happiness and prosperity a government of the people, by the people, and for the people.

The citizens of Washington County are on that line now, when they ask you, gentlemen of the Senate, to place that portrait in your chamber. Though silent, it will teach great political truths to us and future generations.

So many versions have been given of the capture of Jefferson Davis that at the expense of fatiguing you, my friends, I must reproduce here a letter written by me for the Southern Historical Papers on August 2, 1877. It occurs to me to do so because I was asked a few days ago by a gentleman in high position in the State government if President Davis was captured in a woman's dress. As you all know, I was with him on that occasion, and I have in my memory that exciting and sorrowful journey from Richmond; but I only wish to set at rest once again this idle tale, that even some of our own people may believe. Here is the letter:

"GALVESTON, August 2, 1877.

"Maj. W. T. Walthall: Dear Sir—Yours of the 28th came to hand a day or two since, finding me very busy. At the earliest moment I perused the article you alluded to in your letter, which appeared in the *Weekly Times* of Philadelphia of July 7th.

"It does really appear that certain parties with a view of keeping themselves before the public will continue to write the most base,

calumnious, and slanderous articles, calculated to keep the wounds of the past open and sore. Such a writer now appears in Gen. James H. Wilson, whose sole aim seems to be that of traducing and misrepresenting the circumstances of the capture of President Davis and his small party, who, as it appears, were pursued by some 15,000 gallant soldiers commanded by this distinguished general (Wilson). I shall leave it to you and others better qualified than myself to reply to this chapter of the 'unwritten history of the war.'

"I have this, however, to say: I left Richmond with President Davis in the same car, and from that day to the time of our separation, he being detained at Fortress Monroe and I sent to Fort Delaware, he was seldom out of my sight day or night. The night before the morning of our capture Col. William Preston Johnston slept very near the tent of Mrs. Davis, with whose party (Mrs. Davis') we had accidentally fallen in. Mr. Davis and his party had no tents. But Mr. Davis was in Mrs. Davis' tent that night. Col. John Taylor Wood and myself were under a pine tree some fifty or one hundred feet off. Just before day, a light rain falling, and very cold, I was aroused by sharp firing. I immediately prepared for an emergency, and was ready in a few moments with my horse saddled for a move. Very soon our camp was surrounded by mounted men. I was commanded to surrender, and an attempt was made to rob me. I refused to give up my things, such as saddle bags, Mexican blanket, etc. The firing continued. I abused the Federal soldiers around me, and told them they had better repair to the firing and stop it, as they were slaughtering their own men. As soon as there was sufficient light they discovered that they had been fighting with their own soldiers and had killed and wounded quite a number. In a few moments I joined Mr. Davis and his family. I saw nothing of any attempted disguise, neither did I hear anything of it until some time after I had been in Fort Delaware. I then pronounced it a base falsehood. We were guarded by the Fourth Michigan cavalry, commanded by Colonel Pritchard, until we reached Fortress Monroe. I talked freely with officers and men, and on no occasion did I hear anything of the kind mentioned. Judge Reagan and myself had made a compact that we would never desert or leave Mr. Davis, remaining to contribute if possible to his comfort and well being and to share his fortunes whatever might befall. My bed mate, Col. J. T. Wood, one of the bravest and purest of men, having been a naval officer of the United States, and having been charged with a violation of the laws of nations in certain captures he had made, deemed it prudent to make his escape. He informed me of his intentions and invited me to accompany him. I declined to avail myself of the favorable opportunity presented, telling him of my compact with Judge Reagan. He did make good his escape, landing in Cuba with General Breckenridge and Mr. Benjamin, members of the Davis cabinet. The conduct of the captors on that occasion (the capture) was marked by anything but decency and soldierly bearing. They found no preparation for defense and encountered no resistance whatever. Mr. Davis, Judge Reagan, Col. William Preston Johnston,

Col. John Taylor Wood, a young soldier, Barnwell, of South Carolina, who also escaped, and myself, constituted the President's party. Col. Burton N. Harrison, the private secretary of the President, and a few paroled soldiers, were with Mrs. Davis and her family, protecting them with their baggage, etc. Upon taking the camp they plundered and robbed every one of all and every article they could get hold of. They stole the watches, jewelry, money, clothing, etc. I was the only one of the party not robbed. The man and patriot who but a few days before was at the head of a government was treated by his captors with uncalled for indignity, so much so that I became completely exasperated and unhinged, and demanded of the officers to protect him from insult, threatening to kill the parties engaged in such conduct. Mrs. Davis was robbed of her horses, her own personal property presented to her by the people of Richmond. The money, for which she sold valuables, jewelry, silverware, etc., was stolen, and no effort was made to have it returned to her. Time and time again it was promised that the watches, money, etc., stolen should be returned, that the command would be paraded and the stolen property returned to the owners. But it was never done, nor any attempt made to do so. A Captain Douglas stole Judge Reagan's saddle and used it from the day we were captured. They appropriated our horses and other property.

"But why dwell upon this wretchedly disagreeable subject? I hope and pray that the whole truth will some day be written, and I feel assured when it is done we of the South will stand to all time a vindicated people. As for him who is the target for all of these miserable scribblers and those unscrupulous and corrupt men living on the abuse heaped on the Southern people, fanning the embers of the late war, when he is gone hence history will write him as one of the truest and purest of men, a dignified and bold soldier, an intelligent statesman, a man whose whole aim in life was to benefit his people and his country. I knew him well. I have been with him in prosperity and adversity, and have ever found him good and true. How wretched the spirit that will continue to traduce such a man. How miserable and contemptible the party that will refuse to recognize such a man as a citizen of the country, in whose defense his best days were spent and his blood freely shed. I have the honor to be, yours respectfully,

"F. R. LUBBOCK,"

The above letter was sustained by papers from Colonels Johnston, Wood, and Harrison of the President's staff, and the Hon. John H. Reagan, Postmaster-General of the Confederate States. I will add a few words from parties in the Federal army.

James H. Parker, of Ebernsville, Pa., in writing to the *Argus*, of Portland, Me., in speaking of Mr. Davis, says:

"When it was known that he was certainly taken, some newspaper correspondent (I knew his name at the time) fabricated the story about his disguise in an old woman's dress. I heard the whole matter talked over as a good joke, and the officers who knew better never took the

trouble to deny it. Perhaps they thought the Confederate President deserved all the contempt that could be put upon him. I thought so, too, only I never would perpetrate a falsehood that by any means would become history. And further, I never would slander a woman who has shown so much devotion as Mrs. Davis has to her husband. No matter how wicked he is or may have been, I defy any person to find a single officer or soldier who was present at the capture of Jefferson Davis who will say upon honor that he was disguised in women's clothes, or that his wife acted in any way unladylike or undignified on that occasion. I go for trying him for his crimes, and if he is found guilty punishing him. But I would not lie about him when the truth will make it bad enough."

T. H. Peabody, a lawyer of St. Louis, one of the captors of Mr. Davis, in a speech before Ransom Post, G. A. R., a few days after the death of Mr. Davis said:

"Jefferson Davis was captured by the Fourth Michigan cavalry on the early morning of May 10, 1865, at Irwinton, in southern Georgia. With him were Mr. Reagan of Texas, his Postmaster-General, Captain Moody of Mississippi, an old neighbor of the Davis family, Governor Lubbock of Texas, Colonels Harrison and Johnston of his staff. Mrs. Davis and her four children—Maggie aged 10, Jeff 8, Willie 5, and a girl baby (Winnie), a brother and sister of Mrs. Davis, a white and one colored servant woman, a small force of cavalry, a few others, a small train of horses, mules, wagons, and an ambulance. Among the horses was a span of carriage horses presented to Mrs. Davis by citizens of Richmond during the heyday of the Confederacy, also a splendid saddle horse, the pride of the ex-President himself. On the eleventh day of May, the next day after the capture, and while on our way back to Macon, as officer of the guard over the distinguished prisoner, I rode by the side of Mr. Reagan, now senator from Texas. I found him a very fine gentleman. During that day's march a courier from Macon notified us in printed slips of the \$100,000 reward offered for Mr. Davis' capture, which notice connected Mr. Davis with the assassination of President Lincoln. When Mr. Reagan read the notice he earnestly protested that Mr. Davis had no connection whatever with the sorrowful affair. History has shown he had none. Besides the suit of men's clothes worn by Mr. Davis, he had on when captured Mrs. Davis' large water-proof cloak or robe, thrown on over his fine gray suit, and a blanket shawl thrown over his head and shoulders. This shawl and robe were finally deposited in the archives of the War Department at Washington by order of Secretary Stanton."

The story of the hoopskirt, sunbonnet and calico wrapper has no real existence, and was started in the fertile brain of the reporters and in the illustrated papers of the day.

Members of the Legislature and ladies and gentlemen, I fear that I have already detained you too long. I feel, however, that I could not say less. I have endeavored to give you something of the character, ability, and usefulness of the great man whose portrait is presented

to you this day. I have done so in my plain, unvarnished manner. Would that I could have done so in beautiful and elegant language and grand oratory.

I would say only a few words about his departure from us. I had prayed Providence in His kindness that should I survive my grand old chief so dearly loved that I might have health and strength to pay the last sad duty of respect and love to him. This was granted to me. I was a chosen pall-bearer, and followed him to his last resting place. I had been with him on many a journey at home and abroad, in peace and in war, in victory and defeat, while in high positions of State and as disfranchised citizens, and the estimate that I placed upon the man was in keeping with the princely obsequies made for him by the people of the South. It was a grand sight to behold—the vast throngs that had gathered from all parts of the country to view the remains of the distinguished dead. It seemed as though Providence had brought him to die in the great city of the South, so approachable from every portion of the Union, and gave the most lovely day for the ceremonies. Never has there been gathered so many thousands of mourners at the burial of a mortal man.

I do not know how better I can conclude my remarks than to repeat what I said at the mass meeting of the Confederate Veterans on the day of the burial. General Gordon was in the chair:

“Honorable Commander: What can I add to the beautiful and patriotic speeches that have been made to-night by the distinguished veterans assembled to do honor to the memory of our illustrious chief-tain. I must venture, however, to utter a few words to give relief to my aching heart. Standing in the grand rotunda of the capitol at Austin, Texas, when the news was announced that Jefferson Davis had passed over the river, from the fulness of my heart I said: ‘Jefferson Davis dead! Then the light of the greatest and best man of the century has been extinguished. Jefferson Davis! the embodiment of patriotism, the true soldier, the intelligent statesman, the ripe scholar, the refined gentleman, and above all, the earnest follower of Christ.’ Sir, it was my good fortune to be most intimately connected with this great and noble man. From this association I soon learned to love him for his noble manhood, his devotion to his country, in his earnestness in the discharge of the great trusts committed to his hands by a devoted and admiring people, and for his tender care of those connected with him, his suavity to his inferiors in rank, his fair dealing in all things with all men. I loved him for his grand heart. I took pleasure in being near him and listening to his conversation so full of intelligence, so chaste, so elegant, and there was soul in it all. My comrades, he was a grand man,—the greatest, all in all, his country has produced. They say he is dead, comrades. He is beyond our sight, but he is not dead. He lives with Lee, Stonewall Jackson, and Albert Sydney Johnston and others of our great and pure men. As the distinguished bishop said to-day, when on the December midnight the worn warrior joined the ranks of the patient and prevailing ones, who loved their land with love far

brought, if one of the mighty dead gave the challenge, 'Art thou of us?' he answered: 'I am here.' Yes, we all know such as he make up the kingdom of heaven. He is not dead. He lives a higher life above. He is not dead, though we have laid him in the tomb. For he lives in our hearts, and he will ever live in the hearts of our children."

At the moment of presentation, the portrait was unveiled by Miss Ima Hogg.

Hon. George C. Pendleton, Lieutenant-Governor, and ex officio president of the Senate, received the portrait on behalf of the Senate, in an eloquent address. The hall was filled to its full seating capacity, many ladies being present, and the program carried out was interesting and instructive.

Hon. R. T. Milner, speaker of the House, occupied a seat on the right of Lieutenant-Governor Pendleton, and members of the House seats that had been prepared for them.

MILITARY BOARD.

Efforts to negotiate the United States Texas indemnity bonds by Geo. H. Giddings and Maj. Pryor Lea failing, the board issued a circular address to the people proposing to buy cotton from them, pay for same in 8 per cent State bonds, have the cotton hauled to Mexico, sell it there, and with the proceeds purchase machinery, arms, munitions of war, and other needed supplies. The circular met with a prompt response. Competent agents (W. R. Thomas, I. H. Thomason, J. L. Gay, J. F. Roberts, W. B. P. Gaines, M. K. Ryan, A. S. Drennan, John P. Key, C. L. Cleveland, and John M. Dancy) were employed, who, according to a report made by the board to the Ninth Legislature, in February, 1863, had purchased to that date 3659 bales of cotton, which had been hauled to points on the lower Rio Grande and sold to good advantage, enabling the board to successfully inaugurate plans it had decided upon for the comfort and protection of the people of Texas.

"On the 31st of March last," says the report, "the board appointed James T. D. Wilson (of Houston) as agent, with directions to proceed to Mexico and purchase arms, munitions of war, clothing, and shoes. A portion of the business entrusted to Mr. Wilson it is not deemed compatible with the public interest to make public, but will be fully explained by the board to the honorable committee. The board furnished Mr. Wilson with some means, and issued ample instructions to guide him in his mission. Mr. Wilson could not make use of a portion of the valuables entrusted to him, but succeeded in purchasing an invoice of powder, caps, and lead, and a small lot of bagging and rope. . . . He executed his agency with promptness and efficiency and would accept no compensation for his services, except the actual outlay for traveling expenses. . . . On the 29th of April, 1862, the board extended the appointment of agent to Mr. John M. Moore, of Corpus

Christi, a gentleman well acquainted with the Mexican market, with instructions to visit Mexico for the purpose of purchasing arms, munitions of war, and other articles of necessity. The board agreed to place at the disposal of Mr. Moore from 2000 to 4000 bales of cotton. Under this agreement he has furnished goods to the amount of \$106,154.67."

Up to December 25th, the date of his report, 1133 bales of cotton were delivered to him, 153 bales were at the depot at San Antonio awaiting transportation. December 31st the board had outstanding contracts for the delivery of cotton to it valued at \$60,000. At that time \$150,000 or \$200,000 worth of goods were at the mouth of the Rio Grande awaiting facilities to land, and other large consignments were on the way. The amount expended for cotton [covering a limited period.—Ed.] to December 31st is stated at \$143,274.96, and for ordnance and other military stores, machinery and other articles of prime necessity \$64,015.09.

Among the agents who rendered especial service to the State by their intelligence, business ability, and zeal may be mentioned R. & D. G. Mills and Ball, Hutchings & Co.* of Galveston; John M. Swisher & Co. (Swisher was a San Jacinto veteran) and Lavenburg & Bro., of Austin; M. N. Rogers, of Georgetown, and Droege, Oetling & Co., of Matamoros. Through Ball, Hutchings & Co. 50,000 wool and cotton cards were imported by way of Brownsville and distributed to the people of Texas at \$5 to \$10 per pair. The price charged in the open market at that time was from \$25 to \$40 per pair. Consequently from \$1,250,000 to \$2,000,000 were saved to our people on this transaction. The success attending this single effort and the good results flowing from it were sufficient, if nothing more had been accomplished, to sustain the wisdom of the Legislature in creating the board.

In order to clothe the soldiers and help soldiers' wives and widows, we employed the latter to make clothing for the army, and the basement of the capitol was turned into a sewing room; sometimes as many as 100 would be at work.

Later we imported machinery for the manufacture of cards. Thereupon Eubanks & Co. established a card factory in Williamson County, some other private individuals embarked in the business, and we made some at the penitentiary. With additional importations that we succeeded in making, the public need in this direction was soon amply supplied.

To December 31st the board had entered into contracts with Tucker, Sherrod & Co., of Lancaster, Dallas County; Whitecarver, Campbell & Co., of Rusk, Cherokee County; Billups & Hassel, of Plentitude, Anderson County; Short, Biscoe & Co., of Tyler, Smith County, and N. B. Tanner, of Bastrop, for the manufacture of arms, aggregating 6000 rifles (part of the Mississippi and part of the Enfield type, and about one-half with bay-

*Ball Hutchings & Co. engaged actively and extensively in shipping cotton into Mexico, and became successful blockade runners employing in the latter service foreign vessels that before the close of the war arrived at and departed from Galveston on every change or dark of the moon with almost the regularity of mail steamers.

onet attachment), and 3000 sixshooters,—the latter to be made by Tucker, Sherrod & Co. The board made liberal advances to the parties (secured by good bonds) to enable them to establish the necessary plants and carry out their contracts. This they had some difficulty in doing owing to scarcity of material and labor. The mechanics, like all other classes, had volunteered to fight the battles of the country, and it proved impossible to get a sufficient number of competent men detailed from the army. Insurmountable as these obstacles would appear, they were in a measure overcome and large quantities of arms of good quality were manufactured, delivered to the board and supplied to our soldiers.

Aided by the board, William Rowan had established a powder mill at Waxahachie, George Pfeiffer one at Corpus Christi, Constantine Foster one in Burnet County, and W. H. D. Carrington and associates one in Travis County. Later other mills were established at various points in the State where needed. The report says that the cannon foundry had been put in successful operation by the "able superintendent" selected by the board (Wm. McCarton), and that the sum of \$33,523.11 had been expended for the necessary buildings, furnace, steam engine, tools, lumber for gun-carriages, and labor, and that the percussion cap factory was running full time and turning out large quantities of caps of superior quality.

We made in the State all the goods, arms, and munitions we could, and used every means in our power to induce citizens to embark in manufacturing in all practicable lines,—that, too, I am gratified to say, with success.

John F. Torrey, a man of great energy and sterling honesty, established a flour mill and woolen mill at New Braunfels before the war,—one of the earliest pioneer manufacturing enterprises in Texas. Aided by the board, he greatly enlarged the plant, and together with the Runges, of Galveston (citizens equally loyal to the South), established an additional cotton and woolen mill in 1863, and turned out from his establishments large quantities of excellent flour, good cloth, and very superior blankets. I knew Torrey intimately. He was a Texas veteran and a true patriot.

Other men of pluck and enterprise, similarly encouraged, established factories in various parts of the State, realized good profits on capital invested, and contributed largely toward preventing our people from absolutely suffering for the necessities of life during the war. Salt is an article of prime necessity, the absence of which can be supplied by no substitute. A lump of it on the gold coast of Africa has been known to bring treble its weight in the precious metal. Fortunately we had an inexhaustible supply within our borders,—at the salt lakes near El Paso,—where the only labor required was to shovel it into carts; at Grand Saline, in Van Zandt County, an extensive prairie, where it was procured by digging shallow wells and evaporating the water; and the salines in the vicinity of Double Mountain, in Wise County. One of our first moves was to take the necessary steps for the utilization of these

valuable deposits, and in a short time we could have supplied the entire Trans-Mississippi Department had there been transportation facilities.

The board particularly felicitated itself upon its connection with the purchase and sale of the Bayou City, and the part that vessel took in the battle of Galveston, saying in that connection in the report to the Legislature heretofore referred to: "At the first establishment of the blockade of Texas by the Federal government the frigate Santee was the vessel employed. Being a sail vessel and of large size, the blockade might have been easily raised had she not succeeded in procuring several small vessels as tenders. It was believed, by parties esteemed competent to judge, that if the steamer Bayou City was properly fitted up she would be able to cope with the tenders of the Santee and thus render the blockade ineffectual, as she could destroy the small vessels and probably sink the Santee. The board selected Capt. Henry S. Lubbock, an experienced steamboatman and engineer, to superintend the necessary alterations required. About the time of her completion the Santee disappeared and was replaced by several small light-draught steamers with powerful armaments. The principal objects for which the board purchased and altered the steamer being defeated by the increase and alteration of the blockading force, and the board, believing that the boat could be made very effective in the hands of the Confederate government as a guard-boat, offered her to the general commanding, who made the purchase. The part allotted to the Bayou City in the memorable battle of Galveston on the 1st of January last will become part of the written history of the war, and the board may be allowed to congratulate themselves on the services she rendered. The amount outstanding on the books of the board to the debit of the Bayou City, which includes all charges, is \$44,773.24. The board hold a certified account against the Confederate States for \$50,000, the amount of her appraised value, which we hope will be liquidated in the course of a few weeks."

P. DeCordova, still a prominent citizen of Austin, was our secretary, and performed his duties faithfully and efficiently at all times. We were so impressed with his accuracy, energy, and business capacity that, when the Legislature appointed a different board at the expiration of my gubernatorial term, we recommended him to be chosen one of its members, and he was so chosen, and thereafter rendered good service to Texas and the Confederacy.

In view of the fact that it devolved on me as chairman, and on C. R. Johns and C. H. Randolph as my associates, to perform the herculean task of putting Texas (at the beginning of the struggle totally unprepared) in condition for defense, and of immediately concentrating and developing her resources to an extent that would render her people self-sustaining, and that, despite every obstacle, we succeeded, it is but just to say that the board deserved the encomiums that were bestowed upon it by an appreciative people, who on every and all occasions showed themselves ready to bestow the meed of praise upon those who labored honestly, intelligently, and effectively in their interest.

MANUFACTURE OF GOODS AT THE STATE PENITENTIARY IN 1861-2-3.

When I entered upon my executive duties I found Thomas Caruthers, the very efficient appointee of Governor Houston, superintendent and M. C. Rodgers financial agent of the penitentiary. Rodgers had been appointed by Governor Houston to succeed General Besser, who had served a very long time and with great ability. Houston, it seems, listened patiently to the representations of a strong delegation from Walker and other counties who urged him to retain Besser, inquired frequently if he had made a good record, and at last brought the interview to a close by saying to the committee: "Gentlemen, General Besser will be *pardoned out* in the morning." And so he was, and Rodgers appointed.

I promptly *pardoned out* Rodgers and reinstated Besser, who was much the more competent man. Governor Houston himself frankly admitted to me that he had made a mistake when he removed such an efficient man, "though he had been there long enough."

The truth is, frequent elections but no change of executive officers without cause is the best policy for those citizens *who desire not offices, but good government.*

Caruthers I retained, believing him to be the right man for the place, a belief that was abundantly justified by results.

Upon the recommendation of the superintendent and my advice the Military Board procured from Europe some much needed machinery, which was supplemented by that our home artisans were able to manufacture; and several important industries were put in successful operation at the penitentiary. Among other articles, good cotton sacking, good strong sheeting, first-class woolen goods, shoes, and wool hats were turned out in sufficient quantities to meet in large measure the pressing needs of the people and Texas soldiers in the field.

The penitentiary management was instructed to first supply goods to the county courts for distribution among the families of soldiers unable to make purchases, the courts to pay actual cost price for same, then to sell a limited amount to other citizens, and to dispose of the remainder to the Confederate government. Under this system the institution was made self-sustaining and so continued until the end of my administration. In a message to the Tenth Legislature I said: "The financial condition of the penitentiary, as exhibited in the biennial report of the agent, is most satisfactory. . . . That report discloses the following:

"Cotton goods manufactured from December 1, 1861, to August 31, 1863, including 24,702.2 yards from late agent, 2,337,660.2 yards; woolens, including 1,841.3 yards from late agent, 293,298.1 yards. The total amount of sales in the same period was 2,308,716.3 yards cottons, and 287,214.1 yards woolens, leaving a balance unsold of 28,962 yards cottons, and 6,789.1 yards woolens. Of these sales the army received

1,276,920.3 cottons and 257,751.3 yards woolens, making largely over one-half the cottons and all the woolens, less 33,704.3 yards. The lunatic asylum received 2253 yards cottons and 602 yards woolens. The balance, 1,029,543 yards cottons and 28,850.2 yards woolens were absorbed by the penitentiary factory, clothing of convicts and employes, general supplies for the institution, and families of soldiers and citizens. Total gross earnings for the same period have been \$1,174,439.07. The amount expended has been \$468,653.40. Special deposit with State Treasurer \$653,000; cash balance on hand September 1, 1863, \$52,785.67. On the 15th of October, 1863, there was deposited with the State Treasurer the further sum of \$147,000, making the whole sum paid into the treasury, \$800,000.

"The institution has proven of incalculable benefit to the army. In the present condition of the country its importance rises to supreme magnitude."

About 300 convicts were worked, all of them within the walls, all white, and a majority of them measurably intelligent. They were directed by experts who acted as foremen, and who were employed on my recommendation.

I was in the city of Houston on a certain occasion in the year 1862. The hotel was crowded, and, to make me comfortable, the landlord of the Fannin House put me in the room of my friend General Houston. The general was quite fond of talking after retiring, if he had company. After conversing for some time, he said: "Governor Frank, you know I voted for you. I traveled to Cedar Bayou box to do so, and I wish to ask a favor of you."

"Proceed, General," I replied.

He then went on to say that there was a man serving a term in the penitentiary that should be pardoned, giving the name and the reasons why he should be released.

"General," said I, "he is a very important man to us. He is a trusty, and is foreman of our shoe-shop, and we can not spare him."

"Why, Governor Frank, would you keep a poor fellow in the pen because you need his services?"

To this I made answer: "General, he is there. We are needing shoes very much for our soldiers, and I would dislike very much to lose so valuable a man."

He made some reply that caused me to remark: "General, you were Governor some time. If he was such a deserving object of favor, why was it you failed to exercise the pardoning power?"

"Governor Frank, I thank you for the word, and I will tell you the reason of the failure. I had the papers all prepared and they were upon my desk for action upon them. I got up quite early the next morning, but upon arriving at my office I found *little Eddy Clark* in my chair claiming to be Governor. I presume he must have gotten up before daylight so as to precede me in possession. Governor Frank, that is the reason I failed to sign the papers; all of which facts I can prove by my Secretary of State, Major Cave."

I promised him I would look into the case, and a few months after pardoned the man at his request.

In my efforts to make the convicts useful to the struggling country, I did not overlook what was due to them. In one of my letters to the warden I instructed him to permit a Catholic priest, who asked permission to do so, to administer to his church members early Sunday morning before the hour for services by the chaplain of the institution. I declined to take the day of rest from them at the eager demand of public necessity. The convicts were kept busily employed, but were not overworked; were no expense to the taxpayers; became skilled in useful trades; and, realizing that they were rendering service to the country, resumed that measure of self-respect needed to fit them for ultimate restoration to liberty. This experience convinced me fully of the value of this system, and of the utter folly and perniciousness of any system embodying the maintenance of convicts in idleness.

INTERESTING HISTORICAL DOCUMENT.

The following treaty, negotiated upon the part of the United States by John C. Calhoun, and upon the part of Texas by Isaac Van Zandt and J. Pinckney Henderson, was rejected by the United States Senate in April, 1844, and has never (so far as my knowledge extends) been published in any Texas history or book of memoirs. By perusing it the reader will see how much better terms Texas obtained under the annexation resolutions than were proposed in the treaty:

"A treaty of annexation, concluded between the United States of America and the Republic of Texas, at Washington, the 12th day of April, 1844.

"The people of Texas having, at the time of adopting their Constitution, expressed, by an almost unanimous vote, their desire to be incorporated into the Union of the United States, and being still desirous of the same with equal unanimity, in order to provide more effectually for their security and prosperity; and the United States, actuated solely by the desire to add to their own security and prosperity, and to meet the wishes of the government and people of Texas, having determined to accomplish, by treaty, objects so important to their mutual and permanent welfare.

"For that purpose, the President of the United States has given full powers to John C. Calhoun, Secretary of State of the said United States, and the President of the Republic of Texas has appointed, with like powers, Isaac Van Zandt and J. Pinckney Henderson, citizens of the said Republic, and the said plenipotentiaries, after exchanging their full powers, have agreed on and concluded the following articles:

"ARTICLE I. The Republic of Texas, acting in conformity with the wishes of the people and every department of its Government, cedes to the United States all its territories, to be held by them in full property

and sovereignty, and to be annexed to the said United States as one of their Territories, subject to the same constitutional provisions with their other Territories. This cession includes all public lots and squares, vacant lands, mines, minerals, salt lakes and springs, public edifices, fortifications, barracks, ports and harbors, navy and navy yards, docks, magazines, arms, armaments, and accoutrements, archives and public documents, public funds, debts, taxes and dues unpaid at the time of the exchange of the ratification of this treaty.

"ARTICLE II. The citizens of Texas shall be incorporated into the Union of the United States, maintained and protected in the free enjoyment of their liberty and property, and admitted, as soon as may be consistent with the principles of the Federal Constitution, to the enjoyment of all the rights, privileges, and immunities, of citizens of the United States.

"ARTICLE III. All titles and claims to real estate, which are valid under the laws of Texas, shall be held to be so by the United States; and measures shall be adopted for the speedy adjudication of all unsettled claims to land, and patents shall be granted to those found to be valid.

"ARTICLE IV. The public lands hereby ceded shall be subject to the laws regulating the public lands in the other Territories of the United States, as far as they may be applicable; subject, however, to such alterations and changes as Congress may from time to time think proper to make. It is understood between the parties, that, if in consequence of the mode in which lands have been surveyed in Texas, or from previous grants or locations, the sixteenth section cannot be applied to the purpose of education, Congress shall make equal provision by grant of land elsewhere. And it is also further understood, that, hereafter, the books, papers, and documents of the General Land Office of Texas shall be deposited and kept at such place in Texas as the Congress of the United States shall direct.

"ARTICLE V. The United States assume and agree to pay the public debts and liabilities of Texas, however created, for which the faith or credit of her government may be bound at the time of the exchange of the ratifications of this treaty; which debts and liabilities are estimated not to exceed, in the whole, ten millions of dollars, to be ascertained and paid in the manner hereinafter stated.

"The payment of the sum of three hundred and fifty thousand dollars shall be made at the Treasury of the United States, within ninety days after the exchange of the ratifications of this treaty, as follows: Two hundred and fifty thousand dollars to Frederick Dawson, of Baltimore, or his executors, on the delivery of that amount of ten per cent bonds of Texas; one hundred thousand dollars, if so much be required, in the redemption of the exchequer bills which may be in circulation at the time of the exchange of the ratifications of this treaty. For the payment of the remainder of the debts and liabilities of Texas, which, together with the amount already specified, shall not exceed ten millions of dollars, the public lands herein ceded, and the nett revenue from the same, are hereby pledged.

"ARTICLE VI. In order to ascertain the full amount of the debts and liabilities herein assumed, and the legality and validity thereof, four commissioners shall be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall meet at Washington, Texas, within the period of six months after the exchange of the ratifications of this treaty, and may continue in session not exceeding twelve months, unless the Congress of the United States should prolong the time. They shall take an oath for the faithful discharge of their duties, and that they are not directly or indirectly interested in said claims at the time, and will not be during their continuance in office; and the said oath shall be recorded with their proceedings. In case of the death, sickness, or resignation of any of the commissioners, his or their place or places may be supplied by the appointment as aforesaid, or by the President of the United States during the recess of the Senate. They, or a majority of them, shall be authorized, under such regulations as the Congress of the United States may prescribe, to hear, examine, and decide on all questions touching the legality and validity of said claims, and shall, when a claim is allowed, issue a certificate to the claimant, stating the amount, distinguishing principal from interest. The certificates so issued shall be numbered, and entry made of the number, the name of the person to whom issued, and the amount, in a book to be kept for that purpose. They shall transmit the records of their proceedings and the book in which the certificates are entered, with the vouchers and documents produced before them, relative to the claims allowed or rejected, to the Treasury Department of the United States, to be deposited therein; and the Secretary of the Treasury shall, as soon as practicable after the receipt of the same, ascertain the aggregate amount of the debts and liabilities allowed; and if the same, when added to the amount to be paid to Frederick Dawson, and the sum which may be paid in the redemption of the exchequer bills, shall not exceed the estimated sum of ten millions of dollars, he shall, on the presentation of a certificate of the commissioners, issue, at the option of the holder, a new certificate for the amount, distinguishing principal from interest, and payable to him or order, out of the net proceeds of the public lands hereby ceded, or stock of the United States, for the amount allowed, including principal and interest, and bearing an interest of three per cent. per annum from the date thereof; which stock, in addition to being made payable out of the nett proceeds of the public lands hereby ceded, shall also be receivable in payment for the same. In case the amount of the debts and liabilities allowed, with the sums aforesaid to be paid to Frederick Dawson, and which may be paid in the redemption of the exchequer bills, shall exceed the said sum of ten millions of dollars, the said Secretary, before issuing a new certificate, or stock, as the case may be, shall make in each case such proportionable and ratable reduction on its amount as to reduce the aggregate to the said sum of ten millions of dollars; and he shall have power to make all needful rules and regulations necessary to carry into effect the powers hereby vested in him.

"ARTICLE VII. Until further provision shall be made, the laws of Texas, as now existing, shall remain in force, and all executive and judicial officers of Texas, except the President, Vice President, and heads of departments, shall retain their offices, with all power and authority appertaining thereto; and the courts of justice shall remain in all respects as now established and organized.

"ARTICLE VIII. Immediately after the exchange of the ratifications of this treaty, the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner, who shall proceed to Texas and receive the transfer of the territory thereof, and all the archives and public property, and other things herein conveyed, in the name of the United States. He shall exercise all executive authority in said Territory necessary to the proper execution of the laws, until otherwise provided.

"ARTICLE IX. The present treaty shall be ratified by the contracting parties, and the ratifications exchanged at the city of Washington, in six months from the date hereof, or sooner if possible.

"In witness whereof, we, the undersigned, plenipotentiaries of the United States of America and of the Republic of Texas, have signed, by virtue of our powers, the present treaty of annexation, and have hereunto affixed our seals, respectively.

"Done at Washington, the twelfth day of April, eighteen hundred and forty-four.

"J. C. CALHOUN, [SEAL.]

"ISAAC VAN ZANDT. [SEAL.]

"J. PINCKNEY HENDERSON. [SEAL.]"

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